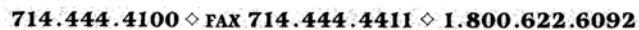


CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

BRS FILE NO.: 45245



APPEARANCES

MR. DANIEL G. PENNINGTON, CHAIRMAN
MR. ROBERT C. FRAZEE, VICE CHAIRMAN
MR. JOHN AMODIO, MEMBER
MR. WESLEY CHESBRO, MEMBER
MR. DAN EATON, MEMBER
MR. STEVEN R. JONES, MEMBER

STAFF PRESENT

MR. RALPH CHANDLER, CHIEF EXECUTIVE OFFICER
MR. KEITH SMITH, DEPUTY EXECUTIVE OFFICER
MS. KATHRYN TOBIAS, CHIEF LEGAL COUNSEL
MS. MARLENE KELLY, BOARD SECRETARY
MS. PATTI BERTRAM, ADMINISTRATIVE ASSISTANT



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BIENNIAL REVIEW FINDINGS FOR THE SOURCE REDUCTION AND
RECYCLING ELEMENT FOR THE FOLLOWING JURISDICTIONS:

A. DEL NORTE COUNTY: DEL NORTE COUNTY
REGIONAL AGENCY

B. HUMBOLDT COUNTY: EUREKA, FERNDALE,
FORTUNA, HUMBOLDT COUNTY UNINCORPORATED, RIO DEL,
TRINIDAD

C: MENDOCINO COUNTY: FORT BRAGG, MENDOCINO COUNTY
UNINCORPORATED, UKIAH, WILLITS

D: ORANGE COUNTY: ANAHEIM, BREA, BUENA PARK,
FOUNTAIN VALLEY, FULLERTON, GARDEN GROVE, LA PALMA,
LAGUNA HILLS, MISSION VIEJO, NEWPORT BEACH, ORANGE
COUNTY UNINCORPORATED

E. PLUMAS COUNTY: PLUMAS COUNTY
UNINCORPORATED

F. SHASTA COUNTY: SHASTA COUNTY
UNINCORPORATED.

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BIENNIAL REVIEW FINDINGS FOR THE HOUSEHOLD HAZARDOUS
WASTE ELEMENT FOR THE FOLLOWING JURISDICTIONS:

A. DEL NORTE COUNTY: DEL NORTE COUNTY
REGIONAL AGENCY

B. HUMBOLDT COUNTY: EUREKA, FERNDALE,
FORTUNA, HUMBOLDT COUNTY UNINCORPORATED, RIO DEL,
TRINIDAD

C: MENDOCINO COUNTY: FORT BRAGG, MENDOCINO COUNTY
UNINCORPORATED, UKIAH, WILLITS

D: ORANGE COUNTY: ANAHEIM, BREA, BUENA PARK,
FOUNTAIN VALLEY, FULLERTON, GARDEN GROVE, LA PALMA,
LAGUNA HILLS, MISSION VIEJO, NEWPORT BEACH, ORANGE
COUNTY UNINCORPORATED

E. PLUMAS COUNTY: PLUMAS COUNTY
UNINCORPORATED

F. SHASTA COUNTY: SHASTA COUNTY
UNINCORPORATED.

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1 SACRAMENTO, CALIFORNIA; WEDNESDAY, MAY 27, 1998
2 9:30 A.M.
3
4 CHAIRMAN PENNINGTON: GOOD MORNING AND WELCOME
5 TO THE MAY MEETING OF THE CALIFORNIA INTEGRATED WASTE
6 MANAGEMENT BOARD. WOULD THE SECRETARY PLEASE CALL THE
7 ROLL.
8 THE SECRETARY: BOARD MEMBER AMODIO. ABSENT.
9 BOARD MEMBER CHESBRO.
10 BOARD MEMBER CHESBRO: HERE.
11 THE SECRETARY: EATON.
12 BOARD MEMBER EATON: HERE.
13 THE SECRETARY: FRAZEE.
14 BOARD MEMBER FRAZEE: HERE.
15 THE SECRETARY: JONES.
16 BOARD MEMBER JONES: HERE.
17 THE SECRETARY: CHAIRMAN PENNINGTON.
18 CHAIRMAN PENNINGTON: HERE. WE HAVE A
19 QUORUM.
20 DO ANY BOARD MEMBERS HAVE ANY EX PARTE
21 COMMUNICATIONS? I'LL START WITH MR. CHESBRO.
22 BOARD MEMBER CHESBRO: I JUST SUBMITTED A LIST
23 TO THE BOARD'S ASSISTANT.
24 CHAIRMAN PENNINGTON: THANK YOU.
25 BOARD MEMBER FRAZEE: NONE FOR ME.



1 CHAIRMAN PENNINGTON: MR. EATON.

2 BOARD MEMBER EATON: YES. I HAVE JUST ONE TO
3 REPORT, TWO ACTUALLY, A LETTER FROM LARRY SWEETSER FROM
4 NORCAL DATED MAY 26, 1998, REGARDING TRANSFER AND
5 PROCESSING OPERATIONS. I BELIEVE THAT'S IT.

6 BOARD MEMBER JONES: MINE ARE ALL UP TO SPEED,
7 MR. CHAIRMAN.

8 CHAIRMAN PENNINGTON: I ALSO RECEIVED A COPY
9 OF THE LETTER FROM MR. SWEETSER, AND I THINK THAT
10 COVERS EVERYTHING OF MINE.

11 THERE ARE SPEAKER REQUEST FORMS IN THE
12 BACK OF THE ROOM. IF ANYBODY WISHES TO ADDRESS AN
13 ISSUE BEFORE THE BOARD TODAY, PLEASE FILL ONE OUT AND
14 GET IT TO MS. KELLY HERE, WHO WILL MAKE SURE THAT I GET
15 IT.

16 ANNOUNCEMENTS: ITEMS 10(B), 10(D), 29
17 AND 30 HAVE BEEN PULLED FROM TODAY'S AGENDA. ITEM 34
18 WILL BE TAKEN OFF THE CONSENT CALENDAR TO BE HEARD BY
19 THE FULL BOARD FOLLOWING THE CONSENT CALENDAR. ITEM 38
20 WILL BE HEARD FOLLOWING ITEM 8. THAT DOES THAT.

21 WE'LL MOVE ON TO COMMITTEE REPORTS.

22 WE'LL START WITH MR. CHESBRO, LOCAL ASSISTANCE AND
23 PLANNING COMMITTEE, MR. CHESBRO, CHAIR.

24 BOARD MEMBER CHESBRO: YES, MR. CHAIRMAN. THE
25 COMMITTEE CONSIDERED 23 PLANNING DOCUMENTS, 21 OF WHICH



1 ARE ON THE CONSENT CALENDAR. THE COMMITTEE ALSO
2 APPROVED ANOTHER REGIONAL AGENCY, THIS TIME FOR GLENN
3 COUNTY, WHICH CONTINUES TO STREAMLINE THE PLANNING
4 PROCESS. I DON'T KNOW WHAT THE COUNT IS AT THIS POINT,
5 BUT I THINK OUR PLANNING INCENTIVES TO ENCOURAGE
6 REGIONAL COOPERATION HAVE BEEN QUITE EFFECTIVE,
7 ESPECIALLY IN RURAL AREAS, BUT ALSO IN A NUMBER OF
8 SUBURBAN AND URBAN COUNTIES AS WELL.
9 SOME UPDATES: THE USED OIL AND HOUSEHOLD
10 HAZARDOUS WASTE PROGRAM NOW HAS 3,029 CERTIFIED
11 CENTERS, AND PROJECT RECYCLE ADDED 14 NEW RECYCLING
12 PROGRAM SITES DURING THE LAST MONTH.
13 BOARD STAFF PRESENTED WORKSHOPS IN
14 SOUTHERN CALIFORNIA ATTENDED BY OVER 50 JURISDICTIONS
15 TO LEARN MORE ABOUT IMPLEMENTING DIVERSION PROGRAMS,
16 GOAL MEASUREMENT, AND BIENNIAL REVIEW PROCESSES, AS
17 WELL AS GRANT WRITING.
18 AND FINALLY, THE BOARD IS HOSTING A SITE
19 FOR THE U.S. EPA SATELLITE BUSINESS FORUM COMING UP ON
20 JUNE 17TH. THESE CONFERENCES WILL SHOW BUSINESSES HOW
21 TO REDUCE WASTE AND SAVE MONEY. MOST IMPORTANTLY,
22 THERE ARE NOW 22 DOWNLINK SITES IN CALIFORNIA WHICH
23 PROMISES CONFERENCE ACCESS TO A MUCH LARGER GROUP OF
24 JURISDICTIONS THAN IF WE WERE HOLDING A TYPICAL
25 CENTRALIZED TYPE OF CONFERENCE. SO IT WILL BE



1 INTERESTING TO SEE WHAT LEVEL OF PARTICIPATION
2 EVENTUALLY DEVELOPS, BUT I THINK IT'S VERY EXCITING
3 WE'RE USING THIS TECHNOLOGY TO ENHANCE OUR LOCAL
4 ASSISTANCE EFFORTS. THAT COMPLETES THE REPORT FROM
5 LOCAL ASSISTANCE.

6 CHAIRMAN PENNINGTON: THANK YOU. MARKETING
7 DEVELOPMENT COMMITTEE, MR. CHESBRO WILL REPORT FOR MR.
8 AMODIO.

9 BOARD MEMBER CHESBRO: MR. CHAIRMAN, THERE
10 WERE THREE ITEMS HEARD BY THE COMMITTEE THAT ARE ALL ON
11 TODAY'S CONSENT CALENDAR. FIRST OF ALL, THE COMMITTEE
12 APPROVED PROPOSED REGULATIONS TO THE RMDZ LOAN PROGRAM
13 THAT REPRESENT MINOR WORDING CHANGES FOR OAL
14 REQUIREMENTS.
15 SECONDLY, MR. MICHAEL OWEN IS BEING
16 RECOMMENDED TO FILL A VACANCY ON THE RMDZ LOAN
17 COMMITTEE, WHICH FURTHERS THE GEOGRAPHIC BALANCE OF THE
18 COMMITTEE DUE TO HIS LOCATION IN SOUTHERN CALIFORNIA.
19 MR. OWEN ALSO HAS STRONG COMMERCIAL LENDING EXPERIENCE
20 IN BOTH THE PRIVATE AND PUBLIC SECTORS AND IS A
21 PROMINENT LENDER IN AREAS COVERING FIVE OF THE RMDZ'S,
22 SO I THINK HE'S A QUALIFIED AND EFFECTIVE
23 RECOMMENDATION IN TERMS OF SERVING ON THE LOAN
24 COMMITTEE.
25 AND FINALLY, THE COMMITTEE APPROVED A



1 \$700,000 LOAN TO COPP MATERIALS INCORPORATED, WHICH IS
2 ALSO ON CONSENT. THIS LOAN IS OF PARTICULAR
3 SIGNIFICANCE BECAUSE IT IS ANTICIPATED T WILL LEAD TO
4 THE DIVERSION OF AN ADDITIONAL 500,000 TONS -- LET ME
5 SAY THAT AGAIN -- 500,000 TONS PER YEAR OF HIGH
6 PRIORITY CONSTRUCTION AND DEMOLITION WASTE MATERIALS.
7 AND UPON QUESTIONING AT THE COMMITTEE, I BELIEVE WE
8 DETERMINED THAT ON A DOLLAR PER TON DIVERTED RATIO,
9 THIS WAS PROBABLY OUR MOST -- OUR BEST LOAN TO DATE IN
10 TERMS OF THE AMOUNT OF MONEY THAT IS BEING LENT
11 VIS-À-VIS THE TONNAGE THAT'S BEING DIVERTED. SO IT WAS
12 A VERY EXCITING ONE AND IT'S ALSO ON CONSENT.

13 CHAIRMAN PENNINGTON: VERY GOOD. THANK YOU.
14 NEXT WILL BE LEGISLATION AND PUBLIC EDUCATION, MR.
15 EATON CHAIR.

16 BOARD MEMBER EATON: YES, MR. CHAIR.
17 LEGISLATION AND PUBLIC EDUCATION COMMITTEE MET ON MAY
18 19TH TO CONSIDER FOUR MEASURES. ALTHOUGH THERE'S A LOT
19 OF LEGISLATIVE ACTIVITY THIS YEAR, NOT MANY OF THE
20 BILLS ARE READY OR RIPE FOR DECISION MAKING EITHER BY
21 THIS BODY OR BY THE LEGISLATIVE BODY. SO, THEREFORE,
22 THE COMMITTEE, ALONG WITH THE CONCURRENCE OF EACH OF
23 THE MEMBERS OF THAT COMMITTEE, HAVE SORT OF AGREED THAT
24 WE WOULD NOT BE HEARING BILLS RIGHT AWAY THAT WEREN'T
25 IN SHAPE AND THEREBY CUTTING DOWN ON OUR OWN WORKLOAD



1 HERE.

2 THE FOUR BILLS THAT WERE SCHEDULED, TWO

3 OF THEM WERE PULLED FROM TODAY'S AGENDA FOR THAT VERY

4 REASON, THAT THEY WEREN'T READY, AND THEY ARE GOING TO

5 UNDERGO MASSIVE AMENDMENTS. THE TWO THAT WERE HEARD

6 AND THEY'RE ON TODAY'S CONSENT CALENDAR ARE MR.

7 CUNEEN'S MEASURE, AB 2067, WHICH DEALS WITH A COUPLE OF

8 MATTERS, BUT MAINLY THE ONE THAT AFFECTS US IS GREEN

9 PROCUREMENT IN THE PURCHASING OF RECYCLED PRODUCTS BY

10 PUBLIC ENTITIES, AS WELL AS MR. CALDERON'S MEASURE, AB

11 1824, WHICH DEALS WITH USED OIL.

12 BOTH OF THESE MEASURES WERE APPROVED WITH

13 AMENDMENTS THAT OUR STAFF WILL WORK WITH THEIR STAFFS

14 TO MAKE AND WILL BE CONSISTENT WITH SOME OF THE

15 REMAINING STATUTES THAT WE HAVE.

16 IN ADDITION, WE RECEIVED A REPORT FROM

17 BERT RANKIN, ONE OF OUR GRANTEEES FROM THE ALAMEDA

18 COUNTY WASTE MANAGEMENT AUTHORITY ON THE MODEL SCHOOL

19 PROGRAM, AND SHE'LL BE REPORTING ON THAT MEASURE IN THE

20 PROGRAM'S OVERALL REPORT LATER ON THIS YEAR AND BE

21 SUBMITTING IT. AND THAT'S REALLY IT.

22 CHAIRMAN PENNINGTON: OKAY. THANK YOU, MR.

23 EATON. NEXT IS PERMITTING AND ENFORCEMENT BY MR.

24 FRAZEE, CHAIR.

25 BOARD MEMBER FRAZEE: YES, MR. CHAIRMAN.



1 PERMITTING AND ENFORCEMENT COMMITTEE MET YESTERDAY, MAY
2 THE 26TH, AND HEARD EIGHT ITEMS. THE PERMIT ITEMS
3 CONSIST OF THE REVISED SOLID WASTE FACILITY PERMIT FOR
4 COMMUNITY RECYCLING AND RESOURCE RECOVERY IN LOS
5 ANGELES COUNTY, A REVISED SOLID WASTE FACILITY PERMIT
6 FOR FALLBROOK RECYCLING AND TRANSFER FACILITY IN SAN
7 DIEGO COUNTY, CONSIDERATION OF A REVISED SOLID WASTE
8 FACILITY PERMIT FOR FOXEN CANYON SANITARY LANDFILL IN
9 SANTA BARBARA COUNTY. I UNDERSTAND THAT ITEM HAS BEEN
10 PULLED FROM THE CONSENT CALENDAR.
11 THEN AN UPDATE ON THE SCHEDULE FOR
12 PLACEMENT OF OPERATIONS AND FACILITIES INTO REGULATORY
13 TIERS AND DEVELOPMENT OF MINIMUM STANDARDS. THE
14 COMMITTEE ACTED ON THE APPROVAL OF NEW SITES FOR THE
15 SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP
16 PROGRAM. THAT ITEM IS ALSO ON CONSENT.
17 THEN THE COMMITTEE CONSIDERED REVISIONS
18 TO THE PROPOSED TRANSFER PROCESSING OPERATIONS AND
19 FACILITIES REGULATION, AND THAT ITEM WAS HELD IN
20 COMMITTEE FOR ANOTHER 30 DAYS WITHOUT STARTING THE
21 FINAL 15-DAY COMMENT PERIOD IN ORDER TO GIVE STAFF TIME
22 TO WORK OUT SOME LAST-MINUTE SUGGESTIONS ON THOSE
23 REGULATIONS.
24 THEN WE HEARD A STATUS REPORT ON THE
25 SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP



1 PROGRAM.

2 AND FINALLY, THE -- WE HEARD A
3 PRESENTATION ON THE RESULTS OF FISCAL YEAR '96-'97
4 GRANT AWARDS FOR THE PILOT LOCAL ENFORCEMENT AGENCY
5 WASTE TIRE ENFORCEMENT GRANT PROGRAM. AND NONE OF
6 THOSE LAST THREE ITEMS ARE CARRIED FORWARD TO TODAY'S
7 AGENDA. THAT COMPLETES MY REPORT.

8 CHAIRMAN PENNINGTON: THANK YOU, MR. FRAZEE.
9 NEXT IS THE POLICY, RESEARCH AND TECHNICAL ASSISTANCE
10 COMMITTEE, MR. JONES CHAIR.

11. BOARD MEMBER JONES: THERE WASN'T A MEETING
12 THIS MONTH, MR. CHAIRMAN. NO ITEMS CAME FORWARD.

13 CHAIRMAN PENNINGTON: THANK YOU. NEXT IS THE
14 ADMINISTRATION COMMITTEE. MR. JONES SAT AS CHAIR ON MY
15 BEHALF, AND MR. JONES WILL REPORT ON THE ACTIVITIES.

16 BOARD MEMBER JONES: THANK YOU, MR. CHAIRMAN.
17 ADMINISTRATION COMMITTEE MET ON MAY 12TH. CHAIRMAN
18 PENNINGTON DECIDED HE'D RATHER SPEND A COUPLE OF DAYS
19 IN THE HOSPITAL AS OPPOSED TO AT THE COMMITTEE MEETING.
20 AND EVERYTHING IS OKAY; FEELING GOOD, HE SAYS. AND
21 WE'RE GLAD TO HEAR THAT. WE'RE GLAD YOU'RE BACK.

22 DAN EATON AND I HEARD SIX ITEMS. FIVE OF
23 THOSE HAVE COME FORWARD FOR THE BOARD'S CONSIDERATION.
24 THREE OF THE ITEMS ARE ON CONSENT. GRANT AWARDS FOR
25 '97-'98 FOR WASTE TIRE ENFORCEMENT GRANT PROGRAM WERE



1 AWARDED FOR 410,000; GRANT AWARDS FOR '97-'98 LOCAL
2 GOVERNMENT WASTE TIRE CLEANUP MATCHING GRANTS FOR
3 171,285; AND THE '97-'98 FIFTH CYCLE OF THE USED OIL
4 RECYCLING BLOCK GRANTS FOR \$11,247,520 FOR 251
5 APPLICANTS AND ANOTHER 108,000 HELD IN RESERVE FOR 13
6 THAT QUALIFIED, BUT DIDN'T SUBMIT THE PAPERWORK, SO
7 THAT THE MONEY'S THERE IF THEY DECIDE TO.
8 WE HAD AN ITEM, CONSIDERATION OF THE
9 AWARD FOR VIDEO AND SUPPORT MATERIAL FOR TIRE-DERIVED
10 FUEL AND CRUMB RUBBER EDUCATION. I MOVED THAT FORWARD
11 TO THE BOARD. THE ITEM WAS HEARD IN COMMITTEE. I MADE
12 THE MOTION TO APPROVE. THERE WASN'T A SECOND, SO THERE
13 WAS ONLY TWO OF US THERE. SO IT'S IN FRONT OF THE
14 BOARD. I DON'T KNOW. I'LL LEAVE IT UP TO YOU, MR.
15 CHAIRMAN, WHAT YOU WANT TO DO THERE.
16 CONTRACT CONCEPTS WEREN'T HEARD IN
17 COMMITTEE AT THE REQUEST OF MR. EATON. THE CONCEPTS
18 WILL BE DISCUSSED TODAY, BUT NO ACTION CAN BE TAKEN.
19 IT WILL APPEAR ON THE JUNE AGENDA FOR CONSIDERATION.
20 AND THEN WE HELD ONE ITEM IN COMMITTEE,
21 WHICH WAS AN AUGMENTATION TO A CONTRACT WITH THE
22 COASTAL COMMISSION ON OIL RECYCLING AND EDUCATIONAL
23 ISSUES. THERE WASN'T ENOUGH INFORMATION. AND DURING
24 THE ITEM, AS QUESTIONS WERE ASKED, THERE WAS A LACK OF
25 UNDERSTANDING OR A LACK OF ANSWERS THAT MET THE NEEDS



1 OF THE COMMITTEE, SO WE HELD THAT ITEM IN COMMITTEE FOR
2 A LITTLE BIT MORE WORK TO BE DONE SO THAT WE KNOW WHAT
3 WE'RE GIVING OUR MONEY AWAY FOR. SO THAT IS MY REPORT,
4 MR. CHAIRMAN.

5 CHAIRMAN PENNINGTON: THANK YOU, MR. JONES,
6 AND THANK YOU FOR FILLING IN FOR ME WHILE I WENT AND
7 VISITED THE FINE DOCTORS AT THE HOSPITAL.
8 WITH REFERENCE TO THE TIRE-DERIVED FUEL
9 AND CRUMB RUBBER EDUCATIONAL VIDEO AND SUPPORT
10 MATERIALS, I UNDERSTAND THAT MR. EATON HAD SOME
11 QUESTIONS. I'D LIKE TO HOLD THAT ITEM OVER UNTIL THE
12 JUNE BOARD MEETING SO THAT ANY QUESTIONS MR. EATON
13 MIGHT HAVE WE CAN DEAL WITH.
14 OKAY. WELL NOW MOVE ON TO THE EXECUTIVE
15 DIRECTOR'S REPORT, MR. CHANDLER.

16 MR. CHANDLER: THANK YOU, MR. CHAIRMAN. GOOD
17 MORNING, MEMBERS. JUST HAVE A COUPLE OF ITEMS AND ONE
18 RECOGNITION I'D LIKE TO GIVE TODAY. BUT LET ME START
19 FIRST WITH A COUPLE OF ITEMS I'D LIKE TO COVER, AND
20 THAT HAS TO DO FIRST WITH OUR BRIEF SUMMARY OF THE
21 WORKSHOP THAT WAS HELD ON THE REGULATORY STRUCTURE
22 UPDATE.
23 AS YOU KNOW, DIRECTOR HUFF AND OTHER
24 OFFICIALS FROM THE DEPARTMENT OF TOXIC SUBSTANCE
25 CONTROL ATTENDED THE BOARD'S MAY 14TH WORKSHOP ON THE



1 REGULATORY STRUCTURE UPDATE HERE IN OUR BOARDROOM. THE
2 WORKSHOP WAS DEVELOPED TO ALLOW BOARD MEMBERS, BOARD
3 STAFF, AND ANY INTERESTED EXTERNAL PARTIES THE
4 OPPORTUNITY TO LEARN MORE ABOUT THE DEPARTMENT'S
5 PROPOSAL TO REVISE HOW THEY CLASSIFY HAZARDOUS WASTE.
6 IN MY OPINION, THE WORKSHOP WAS A HUGE
7 SUCCESS IN THAT OVER 70 PEOPLE ATTENDED, MANY QUESTIONS
8 WERE ASKED AND ANSWERED, AND DISC HAS COMMITTED TO
9 CONTINUE TO WORK WITH US TO ENSURE THAI OUR CONCERNS
10 AND THE CONCERNS OF OUR CONSTITUENTS ARE ADDRESSED.
11 YOU WILL BE RECEIVING A SUMMARY OF THE ISSUES REMAIN-
12 ING -- THAI STILL REMAIN SHORTLY ALONG WITH SOME
13 OPTIONS FOR HOW WE WILL WORK WITH DTSC IN THE FUTURE ON
14 THESE ISSUES. WE WILL CONTINUE TO KEEP YOU INFORMED ON
15 OUR PROGRESS.
16 LET ME JUST SAY THAT IN MY DEALINGS BOTH
17 DOWNTOWN AND HERE AT THE BOARD, I HAVE RECEIVED A
18 NUMBER OF COMPLIMENTS, PRIMARILY TO YOU, MEMBERS, FOR
19 HAVING THE FORESIGHT TO REALLY PUSH HARD ON HAVING THIS
20 WORKSHOP. I THINK IT WAS WELL RECEIVED, AND I'D LIKE
21 TO SEE THE BOARD CONTINUE TO LOOK AT A WORKSHOP SETTING
22 ON THESE MORE CONTROVERSIAL ISSUES THAT COME BEFORE US.
23 AND I HAVE TO SAY THAT I'M GETTING A SIMILAR COMMENTARY
24 ON ANOTHER ISSUE THAT'S BEGINNING TO GENERATE A LOT OF
25 INTEREST OUT THERE, AND THAT IS THE WHOLE ISSUES OF THE



1 PROCESS THAT WE ARE CONSIDERING EITHER REVISING OR
2 LOOKING AT REVISING, WHETHER IT'S HERE AT THE BOARD OR
3 THROUGH ANY LEGISLATION, ON THE AB 59 APPEALS PROCESS.
4 THE REGULATED COMMUNITY AND THE LEA'S ALIKE HAVE ALL
5 EXPRESSED A GROWING LEVEL OF INTEREST IN WANTING TO
6 WEIGH IN WITH THE BOARD SPECIFICALLY ON HOW THAT
7 PROCESS CAN BE FURTHER CLARIFIED AND IMPROVED UPON.
8 LET ME SAY THAT'S ANOTHER ONE THAT'S OUTSTANDING.

9 CHAIRMAN PENNINGTON: I THINK THAT FROM
10 EVERYTHING I'VE HEARD ABOUT THE RSU WORKSHOP, THAT IT
11 WAS WELL ATTENDED AND WELL RECEIVED. AND IT WOULD SEEM
12 TO ME THAT WE WOULD WANT TO DO THE SAME PROCEDURE WITH
13 THE AB 59 QUESTION. AND I WOULD RECOMMEND THAT WE DO
14 THAT BOTH IN THE NORTH END AND THE SOUTH SINCE IT DOES
15 AFFECT ALL THESE HUGE AMOUNT OF JURISDICTIONS AND THE
16 PRIVATE SECTOR AS WELL, THAT WE NEED TO BE OUT THERE
17 AND HEAR FROM THEM.
18 SO WITHOUT ANY OBJECTION FROM MY
19 COLLEAGUES ON THE BOARD, I RECOMMEND THAT YOU PROCEED
20 TO SET UP SOME WORKSHOPS BOTH HERE IN THE NORTH AND THE
21 SOUTH.

22 BOARD MEMBER EATON: I THINK THAT WOULD BE A
23 GREAT IDEA, MR. CHAIR, ESPECIALLY SINCE ONE OF THE
24 MEASURES TODAY THAT WAS PULLED FROM THE CALENDAR ECHOES
25 YOUR SENTIMENT WHERE BASICALLY MR. WAYNE HAD A BILL



1 THAT WOULD HAVE EXTENDED THE TERMS OF THE INDEPENDENT
2 HEARING PANELS AND THOSE, SO WE'RE GETTING A VERY
3 PIECEMEAL APPROACH TO SOLVING SOME CONFLICT OUT THERE.
4 AND I THINK THAT THE WORKSHOP THAT YOU ARE RECOMMENDING
5 OR THE TWO WORKSHOPS ACTUALLY, NORTH AND SOUTH, WOULD
6 BE THE BEST THING TO DO. AND I THINK THAT THE SOONER
7 WE'RE ABLE TO SORT OF PUT THEM TOGETHER, THE BETTER OFF
8 WE MIGHT BE. SO WHATEVER WE CAN DO TO FACILITATE THAT
9 I THINK WOULD BE A GREAT IDEA.

10 CHAIRMAN PENNINGTON: PERFECT. THANK YOU, MR.
11 EATON. I'M SORRY TO INTERRUPT. I THOUGHT THIS WAS AN
12 IMPORTANT ISSUE.

13 MR. CHANDLER: I'LL MOVE ON THAT.
14 THE NEXT AREA ISN'T QUITE AS UPBEAT, BUT
15 I FEEL IT'S IMPORTANT THAT I DO REPORT ON A SHOOTING
16 INCIDENT THAT OCCURRED LAST WEEK. DURING THE CLEANUP
17 OF THE SMOKE TREE ILLEGAL WASTE TIRE SITE IN FAR
18 EASTERN IMPERIAL COUNTY ON MAY 18TH, THE PROPERTY OWNER
19 ALLEGEDLY OPENED FIRE ON GALE REHBERG FROM THE BOARD'S
20 REMEDIATION, CLOSURE, AND TECHNICAL SERVICES BRANCH,
21 ALONG WITH EMPLOYEES OF OUR CONTRACTOR ATD AND THE
22 LOCAL DEPUTY SHERIFF.
23 I'M PLEASED TO REPORT THAT GALE WAS NOT
24 INJURED, BUT BOTH THE DEPUTY SHERIFF AND ONE OF THE AID
25 EMPLOYEES WERE HIT. THE AID EMPLOYEE WAS STRUCK IN THE



1 BACK AND RELEASED AFTER A DAY OR SO IN THE HOSPITAL,
2 BUT THE SHERIFF DEPUTY SUFFERED MORE SERIOUS INTERNAL
3 INJURIES AND WAS FINALLY ALLOWED TO GO HOME ON
4 SATURDAY.
5 THE PROPERTY OWNER, WHO HAD PROVIDED
6 CONSENT TO THE STATE TO ACCESS THE SITE FOR CLEANUP,
7 WAS APPARENTLY UPSET OVER THE WAY IN WHICH EQUIPMENT
8 WAS BEING OPERATED ON THE SITE. FOLLOWING THE
9 SHOOTING, THE SUSPECT FLED AND IS STILL BEING SEARCHED
10 FOR IN THE CHOCOLATE MOUNTAINS. I UNDERSTAND THAT THE
11 FBI HAS NOW JOINED THE INVESTIGATION. SINCE THE SITE
12 WAS CLOSED FOR INVESTIGATION, THE CLEANUP OPERATION
13 MOVED TO ANOTHER IMPERIAL COUNTY SITE AND COMPLETED
14 THAT WORK.
15 AT THIS POINT I DO NOT KNOW WHEN WE WILL
16 RETURN TO THE SMOKE TREE SITE TO COMPLETE THAT WORK.
17 BELIEVE IT'S SOBERING TO BE REMINDED THAT SOMETIMES OUR
18 STAFF MEMBERS ENCOUNTER DANGEROUS SITUATIONS WHILE
19 PERFORMING THEIR JOBS. FORTUNATELY GALE HAD ASKED FOR
20 THE DEPUTY TO BE PRESENT BECAUSE OF CONCERNS THAT SOME
21 SORT OF INCIDENT MIGHT DEVELOP, WHICH IS STANDARD
22 PROCEDURE IN THESE TYPES OF SITUATIONS. I'D LIKE TO
23 PUBLICLY RECOGNIZE OUR VARIOUS ENFORCEMENT STAFF FOR
24 DOING A GREAT JOB UNDER SOMETIMES LESS THAN IDEAL
25 CIRCUMSTANCES.



1 FINALLY, NOW IF I COULD MOVE TO A MUCH
2 MORE UPBEAT NOTE, I'D LIKE TO TAKE AN OPPORTUNITY TO
3 RECOGNIZE AN EMPLOYEE OF THIS BOARD WHO IS RETIRING
4 FROM STATE SERVICE. IT'S NOT OFTEN I HAVE THE PLEASURE
5 TO ACKNOWLEDGE AN EMPLOYEE FOR THEIR LONG-STANDING
6 CONTRIBUTION THE BOARD. IF I MAY, MR. CHAIRMAN, I'D
7 LIKE MOVE TO THE PODIUM AND ASK CAROLE BROW TO COME ON
8 DOWN. LIKE TO MAKE ONE MORE TRIP.

9 MS. BROW: THIS IS ON YOU.

10 MR. CHANDLER: CAROLE, WHY DON'T YOU STAND
11 HERE AND LET ME JUST SAY A FEW WORDS FIRST TO THOSE IN
12 THE GROUP AND GIVE YOU THE MICROPHONE FOR A SECOND.

13 ALL RIGHT.

14 AS YOU KNOW, CAROLE, PERHAPS MAYBE YOU
15 DON'T KNOW, SHE STARTED WITH THE DEPARTMENT OF WATER
16 RESOURCES IN 1975 AND CAME TO THIS BOARD IN 1985 WHEN
17 WE WERE KNOWN AS CALIFORNIA WASTE MANAGEMENT BOARD.
18 CAROLE HAS FOCUSED HER WORK HERE AT THE BOARD
19 PRINCIPALLY IN THE MARKETS PROGRAM. I BELIEVE THAT
20 CAROLE WAS ONE OF THE ORIGINAL STAFF IN WHAT USED TO BE
21 KNOWN AS THE RESOURCE CONSERVATION DIVISION.
22 AS A STAFF PERSON AT THE BOARD, SHE
23 ASSISTED IN DEVELOPING THE STAFF INPUT INTO WHAT BECAME
24 THE INTEGRATED WASTE MANAGEMENT ACT OF 1989. A LOT OF
25 THE WORK FOLLOWED THE SIGNING OF AB 939, AND MUCH OF



1 THAT WORK WAS IN WHAT IS NOW THE WASTE PREVENTION,
2 MARKET DEVELOPMENT DIVISION.
3 CAROLE HAD THE VERY DIFFICULT TASK, ALONG
4 WITH HER MANAGERS HERE AT THE BOARD, OF DEVELOPING WORK
5 PLANS TO CARRY OUT THE REQUIREMENTS OF THE NEW LAW AND
6 HIRE THE STAFF NEEDED TO DO THE WORK. AND I SAW YOUR
7 E-MAIL, AND YOU'RE NOT SORRY THAT YOU WON'T HAVE TO DO
8 THOSE WORK PLANS ANYMORE.

9 MS. BROW: THIS IS TRUE.

10 MR. CHANDLER: LET ME JUST TAKE A FEW MINUTES,
11 IF I COULD, JUST TO READ THE RESOLUTION ON CAROLE'S
12 BEHALF, COMMENDING CAROLE BROW ON HER RETIREMENT FROM
13 STATE SERVICE.

14 WHEREAS, ROPER WASTE MANAGEMENT IS
15 ESSENTIAL FOR THE STATE'S CONTINUED ECONOMIC HEALTH,
16 ENVIRONMENTAL STABILITY, AND PUBLIC SAFETY; AND,
17 WHEREAS, THE CALIFORNIA INTEGRATED WASTE
18 MANAGEMENT BOARD WAS ESTABLISHED TO OVERSEE THE
19 IMPLEMENTATION OF THE NATION'S MOST AGGRESSIVE WASTE
20 DIVERSION MANDATES AS WELL AS THE SAFE DISPOSAL OF THAT
21 WHICH CANNOT BE DIVERTED; AND

22 WHEREAS, CAROLE BROW HAS AGGRESSIVELY
23 WORKED TO ASSIST IN THE DEVELOPMENT AND IMPLEMENTATION
24 OF THE INTEGRATED WASTE MANAGEMENT ACT OF 1989; AND,
25 WHEREAS, CAROLE'S TALENTS WERE CALLED



1 UPON TO ASSIST IN THE FORMULATING AND IMPLEMENTATION OF
2 A STRATEGY TO TRANSITION FROM THE LEGISLATIVELY
3 MANDATED REQUIREMENTS OF THE OLD BOARD TO THOSE OF THE
4 NEW BOARD; AND,
5 WHEREAS, CAROLE BROUGHT TOGETHER
6 INDIVIDUALS WITH DIVERSE BACKGROUNDS TO CREATE A HIGHLY
7 MOTIVATED TEAM THAT HAS CONTRIBUTED TO THE SIGNIFICANT
8 INCREASE IN MARKET CAPACITY FOR RECYCLABLES; AND,
9 WHEREAS, CAROLE'S CONTRIBUTIONS IN NO WAY
10 ENSURE THAT CALIFORNIANS UNDERSTOOD AND ULTIMATELY MET
11 THE INITIAL GOAL OF REDUCING WASTE BY 25 PERCENT IN
12 1995 AND OF LATE THE FOUNDATION FOR REACHING 50 PERCENT
13 BY THE YEAR 2000; AND,
14 WHEREAS, CAROLE BEGAN HER CAREER IN STATE
15 SERVICE ON JULY 1ST, 1975, AT THE DEPARTMENT OF WATER
16 RESOURCES AND CAME TO THE INTEGRATED WASTE MANAGEMENT
17 BOARD ON DECEMBER 16, 1985, FOR A TOTAL OF 22 YEARS, 11
18 MONTHS;
19 NOW, THEREFORE, BE IT RESOLVED THAT THE
20 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD DOES
21 HEREBY COMMEND CAROLE BROW UPON HER RETIREMENT FROM
22 STATE SERVICE FOR HER OUTSTANDING WORK AND VISION AND
23 HER DEDICATION TO INTEGRATED WASTE MANAGEMENT. MAY 27,
24 1998. SO, CAROLE, CONGRATULATIONS.
25 (APPLAUSE.)



1 MS. BROW: I'LL SAY A FEW WORDS. ACTUALLY I
2 DON'T FEEL LIKE I'M RETIRING SO MUCH AS JUST MOVING ON
3 WITH MY LIFE. AND I CAN NEVER REALLY STOP BEING PART
4 OF THIS BOARD AND PART OF THE STATE GOVERNMENT BECAUSE
5 I'VE BEEN WITH IT FOR SO LONG. AND PRETTY MUCH
6 EVERYTHING THAT I'VE BECOME IN MY LIFE IS BECAUSE OF
7 THE PEOPLE I'VE BEEN WORKING WITH, AND I WILL ALWAYS
8 MISS YOU, BUT I PLAN TO NOT BE TOO FAR AWAY, AND MAYBE
9 I CAN COME BACK FOR SOME OF THE GOOD TIMES, THE
10 PARTIES, THE PICNICS, WHATEVER. SO THANK YOU VERY
11 MUCH, ALL OF YOU, FOR MAKING MY LIFE HERE SO
12 WONDERFUL.

13 (APPLAUSE.)

14 CHAIRMAN PENNINGTON: MR. CHESBRO.

15 BOARD MEMBER CHESBRO: MR. CHAIRMAN, AS THE,
16 GUESS, THE SENIOR MEMBER OF THE BOARD IN TERMS OF
17 LENGTH OF SERVICE HERE AND THE ONE OF THE ONES WHO
18 WAS -- WHO ARRIVED TO TAKE THE PLACE IN 1990 OF THE OLD
19 BOARD AND FOUND CAROLE AND OTHER STAFF ANXIOUSLY
20 AWAITING WHAT KINDS OF CHANGES HAVING A NEW BOARD WOULD
21 BRING, I WANTED TO, ON BEHALF OF ALL BOARD MEMBERS WHO
22 HAVE COME AND GONE AND THE ONES WHO ARE HERE NOW, THANK
23 YOU FOR YOUR CONTRIBUTION TO THE TRANSITION TO THE NEW
24 LAW AND THE NEW BOARD AND TOWARDS MAKING THE 50 PERCENT
25 A SUCCESS IN CALIFORNIA. SO YOU HAVE A LOT TO BE PROUD



1 OF.

2 MS. BROW: THANK YOU. IT WAS A PLEASURE.

3 (APPLAUSE.)

4 MR. CHANDLER: THAT DOES COMPLETE MY REPORT.

5 THANK YOU, MR. CHAIRMAN.

6 BOARD MEMBER CHESBRO: CAN I MAKE ONE OTHER

7 COMMENT WITH REGARDS TO MR. CHANDLER'S REPORT? IT'S A

8 LITTLE BIT UNUSUAL, BUT I THINK THE INCIDENT THAT YOU

9 MENTIONED POINTS UP THE FACT THAT WHILE THIS DOESN'T

10 HAPPEN EVERY DAY, THE POTENTIAL RISK THAT IS THERE FOR

11 STAFF WHEN THEY GO OUT AND DO THIS WORK IS SIGNIFICANT.

12 AND I WOULD LIKE FOR THE BOARD TO FIND SOME WAY TO

13 RECOGNIZE THE INDIVIDUAL INVOLVED AS IMPORTANT IN TERMS

14 OF ACKNOWLEDGING THE FACT THAT THERE IS SIGNIFICANT

15 RISK.

16 50 IF THERE WAS SOME FORM OF COMMENDATION

17 OR RESOLUTION WE COULD PROVIDE TO THE STAFF MEMBER WHO

18 WAS PUT IN THIS SITUATION, AGAIN I THINK SYMBOLIZING TO

19 THE - - AS FAR AS THE LARGER STAFF WHAT KINDS OF

20 POTENTIAL SACRIFICES STAFF MAKE ON BEHALF OF THE PUBLIC

21 AND HOW IMPORTANT THEIR WORK IS, BUT THAT THEY REALLY

22 PUT THEMSELVES AND THEIR FAMILIES AT SIGNIFICANT RISK

23 WHEN THEY GO TO WORK EVERY DAY TO DO SOME OF THESE

24 DIFFICULT JOBS. AND I THINK IT'S IMPORTANT THAT WE

25 ACKNOWLEDGE IT.



1 LET ME JUST, IF IT'S OKAY WITH THE OTHER
2 BOARD MEMBERS, ASK MR. CHANDLER TO TRY TO FIND THE
3 APPROPRIATE WAY TO RECOGNIZE THE INDIVIDUAL INVOLVED.

4 CHAIRMAN PENNINGTON: THAT'S FINE. MR.
5 CHANDLER AND I HAVE DISCUSSED THIS AND ARE LOOKING AT
6 HOW WE CAN RECOGNIZE HER FOR BEING IN HARM'S WAY.

7 BOARD MEMBER JONES: MR. CHAIRMAN, I THINK AT
8 THE SAME TIME WE OUGHT TO RECOGNIZE THE LAW ENFORCEMENT
9 OFFICER THAT ENDED UP TAKING A BULLET. WE NEED TO, I
10 THINK, ALSO INCLUDE HIM AND THE DRIVER FROM ATD.

11 CHAIRMAN PENNINGTON: OKAY. NOW WE'LL MOVE TO
12 ITEM NO. 3, WHICH IS SOME LOCAL PRESENTATIONS. FIRST
13 PRESENTATION WILL BE THE CALMAX MATCH OF THE YEAR
14 AWARD. KEVIN TAYLOR.

15 MR. TAYLOR: MORNING, MR. CHAIRMAN, BOARD
16 MEMBERS. THE ITEM BEFORE YOU TODAY IS THE PRESENTATION
17 OF THE CALMAX MATCH OF THE YEAR AWARD TO MR. DAVID WEST
18 OF EXECUTIVE SUITE. AT THE BOARD'S APRIL MEETING, YOU
19 VOTED TO BESTOW THE AWARD UPON MR. WEST.

20 BEFORE I GIVE YOU THE INFORMATION ABOUT
21 EXECUTIVE SUITE, I'D LIKE TO GIVE YOU A BRIEF OVERVIEW
22 OF THE CALMAX PROGRAM FOR THOSE OF YOU WHO ARE
23 UNFAMILIAR.

24 THE CALMAX OR CALIFORNIA MATERIALS
25 EXCHANGE PROGRAM PROVIDES A PRACTICAL PROGRAM FOR



1 BUSINESSES AND OTHER ORGANIZATIONS TO REUSE WOULD-BE
2 DISCARDS AND DIVERT WASTE FROM LANDFILLS THROUGH ITS
3 QUARTERLY CATALOG AND INTERNET SERVICE. LAST YEAR OVER
4 2800 SUCCESSFUL EXCHANGES TOTALLING ALMOST A HUNDRED
5 FIFTY THOUSAND TONS WERE EXCHANGED THROUGH CALMAX.
6 EACH CATALOG FEATURES ARTICLES ABOUT
7 SUCCESSFUL BUSINESSES THAT USE CALMAX OR SUCCESSFUL
8 EXCHANGES. FORMERLY ENTITLED "MATCH OF THE CATALOG,"
9 THESE ARTICLES ARE NOW CALLED THE "CALMAX CONNECTIONS."
10 EACH YEAR STAFF RECOMMENDS ONE OF THESE STORIES BE
11 DESIGNATED AS THE MATCH OF THE YEAR. THE BOARD THEN
12 ACTS UPON THIS RECOMMENDATION, WHICH YOU DID.
13 DESIGNATION AS THE MATCH OF THE YEAR
14 EARNS THE RECIPIENT PROMOTIONAL OPPORTUNITIES FOR THEIR
15 BUSINESS THROUGH THE CALMAX PRESS RELEASES OR BOARD
16 PRESS RELEASES, HEIGHTENED VISIBILITY ON THE CALMAX WEB
17 SITE, AND A TOKEN OF APPRECIATION IN THE FORM OF A
18 FRAMED RESOLUTION. THE AWARD ALSO PROVIDES AN
19 OPPORTUNITY TO PROMOTE THE CALMAX PROGRAM ITSELF.
20 EXECUTIVE SUITE IS A BUSINESS THAT
21 RECOVERS COMPUTERS AND ELECTRONIC SCRAP THROUGHOUT THE
22 SACRAMENTO VALLEY. THE MAIN FOCUS OF THE BUSINESS IS
23 THE RECOVERING OF MAINFRAME COMPUTERS FOR RESALE AND
24 RECYCLING, BUT IT ALSO COLLECTS CIRCUIT BOARDS TO
25 RECOVER PRECIOUS METALS SUCH AS GOLD, SILVER,



1 PALLADIUM, AND PLATINUM. CUSTOMERS INCLUDE NUMEROUS
2 STATE AND FEDERAL AGENCIES, UNIVERSITIES, BANKS,
3 INSURANCE COMPANIES, MANUFACTURING, AND COMPUTER
4 SERVICE COMPANIES. EXECUTIVE SUITE ALSO COLLECTS A
5 LARGE NUMBER OF PC'S WHICH ARE DONATED TO SCHOOLS
6 THROUGHOUT NORTHERN CALIFORNIA.
7 DAVID WEST, OWNER OF EXECUTIVE SUITE, HAS
8 BEEN USING CALMAX SINCE 1993 AND ESTIMATES THAT HE
9 RECOVERS OVER 750 TONS PER YEAR OF COMPUTER EQUIPMENT.
10 ALTHOUGH THIS MATCH OF THE YEAR
11 HIGHLIGHTS ELECTRONIC MATERIALS, CALMAX CONTINUES TO
12 TARGET THE PRIORITY MATERIALS OF CONSTRUCTION,
13 DEMOLITION, AND ORGANICS. IN FACT, AS WE SPEAK, A
14 SPECIAL CONSTRUCTION DEMOLITION EDITION IS BEING
15 PRINTED BY THE OFFICE OF STATE PRINTER.
16 CALMAX IS ALSO EXPLORING NEW
17 OPPORTUNITIES BY ACCEPTING PAID ADVERTISING IN THE
18 SPECIAL EDITION TO OFFSET PRINTING COSTS. IN THE
19 FUTURE WE'LL ALSO BE PREPARING AN ORGANIC SPECIAL
20 EDITION TO SUPPORT THE BOARD'S ORGANIC MATERIALS
21 EFFORTS.
22 IN CLOSING, I'D LIKE TO SAY THAT MR. WEST
23 IS HERE TODAY, AND WE'D LIKE TO INVITE HIM UP TO
24 RECEIVE THE MATCH OF THE YEAR AWARD. MR. CHAIRMAN.
25 CHAIRMAN PENNINGTON: IT'S MY PLEASURE TO



1 PRESENT THIS RESOLUTION TO EXECUTIVE SUITE, AND I WILL
2 READ IT AND THEN PRESENT IT. THIS RESOLUTION
3 COMMENDING EXECUTIVE SUITE,
4 WHEREAS, PROPER WASTE MANAGEMENT IS
5 ESSENTIAL FOR THE STATE'S CONTINUED ECONOMIC STABILITY,
6 ENVIRONMENTAL HEALTH, AND PUBLIC SAFETY; AND,
7 WHEREAS, CALIFORNIA INTEGRATED WASTE
8 MANAGEMENT LAWS REQUIRE AGGRESSIVE AND INNOVATIVE
9 PROGRAMS TO ACHIEVE THE STATE'S WASTE REDUCTION GOALS;
10 AND,
11 WHEREAS, VOLUNTEER BUSINESS PARTICIPATION
12 IN WASTE PREVENTION, RECYCLING, COMPOSTING PROGRAMS IS
13 ESSENTIAL TO ACHIEVING THE STATE'S WASTE REDUCTION
14 GOALS IN CALIFORNIA; AND,
15 WHEREAS, EXECUTIVE SUITE HAS DEMONSTRATED
16 THEIR COMMITMENT TO EFFECTIVE WASTE MANAGEMENT BY
17 OBTAINING OVER 750 TONS OF USED COMPUTERS AND
18 ELECTRONIC EQUIPMENT THROUGH THE USE OF CALIFORNIA
19 MATERIALS EXCHANGE, CALMAX, IN 1997;
20 NOW, THEREFORE, BE IT RESOLVED THAT THE
21 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD DOES
22 HEREBY COMMEND EXECUTIVE SUITE FOR THEIR DEDICATION TO
23 EFFECTIVE WASTE MANAGEMENT AND BESTOW UPON THEM THE
24 1997 CALMAX MATCH OF THE YEAR AWARD.
25 (APPLAUSE.)



1 MR. WEST: MORNING. THANK YOU FOR THIS AWARD.
2 I DO APPRECIATE IT. AND THE PEOPLE THAT I WORK WITH,
3 THEY APPRECIATE IT ALSO. I DID TELL THEM THAT I'D
4 MENTION THEM BY NAME. THEIR NICKNAMES ARE SONNY AND
5 BUBBA, TWO SWELL GUYS. THEY'RE HONEST, AND THEY'RE THE
6 ONES THAT ACTUALLY PHYSICALLY MOVED THAT MUCH TONNAGE,
7 AND THEY DO IT ON AN ANNUAL BASIS.
8 WHAT I DID WANT TO TELL YOU ABOUT IS
9 SOMETHING THAT HAS NOTHING TO DO WITH COMPUTERS.
10 THROUGH CALMAX, I THINK IT WAS ABOUT FOUR YEARS AGO, I
11 SAW AN OPPORTUNITY, A NONPROFIT ORGANIZATION THAT TAKES
12 SHOES, BRAND NEW SHOES, THAT ARE UNMATCHED AND MATCHES
13 THEM AND THEN GIVES THEM AWAY TO PEOPLE THROUGHOUT THE
14 COUNTRY. THEY ALSO LANDFILL HUNDREDS OF TONS OF SHOES
15 THAT THEY DON'T FIND MATCHES FOR GOING THROUGH THEIR
16 FIRST BLUSH OF FIRST TRYING TO MATCH THEM AND THEY
17 DON'T WANT TO WAREHOUSE THEM. SO THEY HAD BEEN TAKING
18 THEM TO THE LANDFILL.
19 AND I SAW THEIR LITTLE BLURB IN THE
20 CALMAX, AND I THOUGHT, WELL, I'M KIND OF INNOVATIVE, SO
21 I'LL GIVE THEM A CALL. SO THE NEXT TWO AND A HALF
22 YEARS I MADE SURE OUR TRUCK WAS EMPTY ON THURSDAY AND
23 WOULD FILL IT UP WITH THESE BAGS OF BRAND NEW SHOES.
24 AND HAVING SOME RATHER HARD WORKERS, NOT BUBBA AND
25 SONNY, BUT SOME OTHER PEOPLE MAKING MATCHES, THEY



1 MATCHED THOUSANDS OF PAIRS OF BRAND NEW SHOES, MOSTLY
2 HIGH QUALITY LEATHER SHOES. AND A GREAT DEAL OF THOSE
3 THEY DID SELL. THEY DID SELL AT GREATLY REDUCED
4 AMOUNTS, BUT A HUGE PORTION OF THEM WENT TO THE EAST
5 COAST TO SOME MONKS AND NUNS, PEOPLE THAT BASICALLY
6 LIVE ON THE GOODWILL OF OTHERS. THEY'RE DEDICATED TO
7 THEIR SPIRITUAL PRACTICES, AND THEY DON'T GET OUT MUCH.
8 AND THEY GREATLY APPRECIATED IT.
9 SO ACCORDING TO THE LAW OF SUPPLY AND
10 DEMAND, WHEN YOU REMOVE SOMETHING FROM A SHELF, WHOEVER
11 OWNS THE STORE, OF COURSE, THEY'RE GOING TO ORDER
12 ANOTHER ONE TO REPLACE IT, AND THE ORDER GETS PASSED
13 DOWN THE LINE. SO WHEN IT COMES TO LEATHER SHOES,
14 BECAUSE OF CALMAX, YOU SAVED A HERD OF CATTLE. IT'S
15 THAT SIMPLE. SO I WANT TO THANK THE BOARD FOR THIS
16 AWARD, AND I'D LIKE TO THANK KEN DECIO AND KEVIN TAYLOR
17 AND EVERYONE HERE. THANK YOU.

18 (APPLAUSE.)

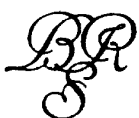
19 CHAIRMAN PENNINGTON: GETTING MY EXERCISE THIS
20 MORNING. NEXT IT'S MY PLEASURE TO INTRODUCE MELINDA
21 VARN, THE PROJECT MANAGER OF THE CALIFORNIA EMERGENCY
22 FOODLINK. WE HAVE INVITED MELINDA HERE TODAY TO
23 RECEIVE A RESOLUTION ON BEHALF OF THE CALIFORNIA
24 EMERGENCY FOODLINK TO ACKNOWLEDGE BOTH THEIR COMMITMENT
25 TO FEEDING THE HUNGRY, AS WELL AS THEIR ACCOMPLISHMENTS



1 IN DIVERTING OVER A HUNDRED MILLION POUNDS OF FOOD FROM
2 AREA LANDFILLS DURING THE PAST SIX YEARS.
3 AS MOST OF YOU KNOW, THE BOARD STAFF
4 MAKES CONTRIBUTIONS TO THE STATE EMPLOYEE FOOD DRIVE
5 EACH MONTH THROUGH THE YEAR. I WOULD LIKE TO DIRECT
6 YOUR ATTENTION TO THE BACK OF THE ROOM WHERE DON PERRY
7 IS, THE CAPTAIN OF OUR FOOD DRIVE TEAM, IS STANDING
8 NEXT TO THIS MONTH'S FOOD COLLECTION. OUR STAFF HAVE
9 MADE AN EXTRA EFFORT FOR THESE SPECIAL OCCASIONS AND
10 COLLECTED 393 POUNDS OF FOOD AND \$190 IN CASH FOR THE
11 MONTH OF MAY. THAT CONVERTS TO 868 POUNDS OF FOOD.
12 YEAR TO DATE, THIS BRINGS OUR TOTAL CONTRIBUTION TO
13 2842 POUNDS OF FOOD.
14 I WANT TO THANK ALL OF OUR STAFF FOR
15 THEIR GENEROSITY AND SPECIAL THANKS GOES TO OUR FOOD
16 DRIVE COORDINATORS INCLUDING JEANNIE AGPOON, STEVE
17 BARNETT, MARCIA KIESSE, KATHY MARSH, JACKIE SIFUENTES,
18 SUSAN VILLA, AND MARGIE ZAPATA.
19 AND THEN I HAVE A PRESENTATION HERE.
20 I'LL COME OVER THERE AGAIN.
21 OKAY. THIS SAYS -- THIS RESOLUTION IS
22 COMMENDING THE CALIFORNIA EMERGENCY FOODLINK.
23 WHEREAS, CALIFORNIANS ARE STARVING --
24 STRIVING TO REDUCE THE AMOUNT OF WASTE GOING INTO
25 LANDFILLS BY 50 PERCENT -- WELL, YOU KNOW, I WAS



1 THINKING OF FOOD. ANYWAY, I'LL START AGAIN.
2 WHEREAS, CALIFORNIANS ARE STRIVING TO
3 REDUCE THE AMOUNT OF WASTE GOING INTO LANDFILLS BY 50
4 PERCENT BY THE YEAR 2000; AND,
5 WHEREAS, PUBLIC PARTICIPATION IN
6 INNOVATIVE AND AGGRESSIVE WASTE MANAGEMENT PROGRAMS IS
7 NECESSARY TO ENSURE THAT CALIFORNIA REACHES ITS WASTE
8 DIVERSION GOALS; AND,
9 WHEREAS, THE CALIFORNIA EMERGENCY
10 FOODLINK, THROUGH ITS MISSION TO FIND SENSIBLE
11 SOLUTIONS TO HUNGER, SERVES AN ESTIMATED 1.5 MILLION
12 PEOPLE EACH MONTH WITH DONATED FOOD AND ALSO HELP
13 REDUCE THE AMOUNT OF FOOD SUPPLY DESTINED FOR
14 LANDFILLS; AND,
15 WHEREAS, ITS DONATE, DON'T DUMP FOOD
16 PROGRAM COLLECTED 28 MILLION POUNDS OF DONATED
17 AGRICULTURAL PRODUCTS IN 1977 AND 106 MILLION POUNDS
18 SINCE THE PROGRAM'S INCEPTION IN 1992; AND,
19 WHEREAS, FOODLINK'S SACK, THAT'S
20 SACRAMENTO AREA COMMUNITY KITCHEN, PROGRAM COLLECTED
21 OVER 270,000 POUNDS OF PREPARED FOOD FROM SACRAMENTO
22 AREA RESTAURANTS, FARMERS MARKETS, AND THE GROCERY
23 STORES IN 1997 AND OVER ONE MILLION POUNDS SINCE THE
24 PROGRAM'S INCEPTION IN 1993;
25 NOW, THEREFORE, BE IT RESOLVED THAT THE



1 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD DOES
2 HEREBY COMMEND THE CALIFORNIA EMERGENCY FOODLINK FOR
3 THE OUTSTANDING SUCCESS OF THE DONATE, DON'T DUMP AND
4 SACK PROGRAMS IN FEEDING THE HUNGRY OF CALIFORNIA AND
5 IN HELPING TO REDUCE THE AMOUNT OF SURPLUS FOOD
6 DEPOSITED IN LANDFILLS. CONGRATULATIONS.

7 (APPLAUSE.)

8 MS. VARN: I'D JUST LIKE TO THANK THE BOARD ON
9 BEHALF OF CALIFORNIA EMERGENCY FOODLINK, AND I'D REALLY
10 LIKE TO COMMEND YOUR STAFF ON THE EXTRAORDINARY EFFORT
11 THAT THEY HAVE MADE OVER THE PAST SEVERAL YEARS IN
12 CONTRIBUTING FOOD ON A REGULAR MONTHLY BASIS. IT'S
13 BEEN AN UNUSUAL AND JUST INVALUABLE SUPPORT TO THE
14 PEOPLE OF SACRAMENTO WHO REALLY NEED EMERGENCY FOOD
15 SUPPLIES THROUGHOUT THE YEAR. SO THANK YOU VERY MUCH
16 FOR THIS AND THANK YOU FOR YOUR TIME.

17 (APPLAUSE.)

18 CHAIRMAN PENNINGTON: OKAY. WE'LL NOW MOVE ON
19 TO THE ITEM NO. 4, THE CONSENT CALENDAR. CONSENT
20 CALENDAR INCLUDES ITEMS 5 THROUGH 7, 10 THROUGH 24, 27
21 THROUGH 33, AND ITEMS 35 AND 36. IS THERE ANY MEMBER
22 WHO WISHES TO PULL ANY ADDITIONAL ITEMS OFF THE CONSENT
23 CALENDAR?

24 BOARD MEMBER EATON: YES, MR. CHAIR. I'D LIKE
25 TO PULL ITEM 36 OFF THE CONSENT CALENDAR.



1 CHAIRMAN PENNINGTON: ITEM 36. WITHOUT
2 OBJECTION, WE'LL PULL ITEM 36.

3 BOARD MEMBER CHESBRO: YOU DID LEAVE 34 OFF
4 THE LIST?

5 CHAIRMAN PENNINGTON: WE DID PULL 34 OFF THE
6 LIST. OKAY.

7 BOARD MEMBER FRAZEE: I'LL MOVE ADOPTION OF
8 THE CONSENT CALENDAR, MR. CHAIRMAN.

9 BOARD MEMBER JONES: I'LL SECOND.

10 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND
11 SECONDED. WILL THE SECRETARY CALL THE ROLL, PLEASE.
12 ROLL.

13 THE SECRETARY: BOARD MEMBER AMODIO. ABSENT.

14 BOARD MEMBER CHESBRO.

15 BOARD MEMBER CHESBRO: AYE.

16 THE SECRETARY: EATON.

17 BOARD MEMBER EATON: AYE.

18 THE SECRETARY: FRAZEE.

19 BOARD MEMBER FRAZEE: AYE.

20 THE SECRETARY: JONES.

21 BOARD MEMBER JONES: AYE.

22 THE SECRETARY: CHAIRMAN PENNINGTON.

23 CHAIRMAN PENNINGTON: AYE. CONSENT CALENDAR
24 IS APPROVED.

25 NOW WE'LL MOVE TO ITEM 34, CONSIDERATION



1 OF A REVISED SOLID WASTE FACILITY PERMIT FOR THE FOXEN
2 CANYON SANITARY LANDFILL IN SANTA BARBARA COUNTY.
3 DOROTHY RICE.

4 MS. RICE: GOOD MORNING, MR. CHAIRMAN AND
5 MEMBERS. I DID NOT HAVE STAFF PRESENT TO MAKE A
6 PRESENTATION. DID YOU WANT THE PERMIT PRESENTED OR TO
7 RESPOND TO QUESTIONS?

8 CHAIRMAN PENNINGTON: MR. CHESBRO.

9 BOARD MEMBER CHESBRO: WELL, LET ME EXPRESS MY
10 CONCERNS, AND THEN, YOU KNOW, SEE WHERE WE GO RELATIVE
11 TO THE OTHER BOARD MEMBERS AND STAFF WHETHER THERE'S
12 NEED FOR ADDITIONAL PRESENTATION.
13 THIS SITE HAS SEVERAL TROUBLING
14 CHARACTERISTICS, AND THEY'RE CHARACTERISTICS WHICH HAVE
15 BEEN BROUGHT UP IN THE PAST. ONE OF THEM HAS TO DO
16 WITH THE VERTICAL EXPANSION OVER AN UNLINED SITE, WHICH
17 HAS TRADITIONALLY BEEN MR. RELIS' ISSUE THAT HE HAS
18 BROUGHT UP AND --

19 MS. RICE: IF I MIGHT ON THAT POINT, AND DON
20 DIER CAN HELP ME IF HE WISHES, I UNDERSTAND THIS IS NOT
21 A VERTICAL EXPANSION. I KNOW WE HAD SOME QUESTIONS IN
22 COMMITTEE ABOUT WHAT WAS THE NATURE OF THE PERMIT
23 ACTION. THEY'RE EXPANDING THE AREA OF LAND COVERED BY
24 THE PERMIT. THEY ARE NOT EXPANDING THE AREA OF LAND
25 WHERE DISPOSAL WILL OCCUR.



1 AND APPARENTLY WHAT THEY'RE TRYING TO DO
2 IS STAGE THIS OPERATION FOR IN THE FUTURE WHEN THEY
3 WANT TO CLOSE THE FILL AND BUILD A TRANSFER STATION ON
4 THE ADDITIONAL LAND THAT THEY'RE NOW INCORPORATING INTO
5 THE PERMIT AREA. SO OUR UNDERSTANDING IS THAT THE
6 DISPOSAL AREA DOES NOT INCREASE BY YOUR PERMITTING
7 ACTION.

8 BOARD MEMBER CHESBRO: WELL, I WAS TALKING
9 ABOUT PILING IT UP. IT'S GOING TO BE PILED UP.

10 MS. RICE: I UNDERSTAND THEY'RE ALSO NOT DOING
11 THAT.

12 BOARD MEMBER CHESBRO: WHERE'S THE NEW GARBAGE
13 GOING TO GO?

14 MS. RICE: WHAT THEY'RE DOING IS RECONFIGURING
15 IT. IT IS NOT, IN FACT, NEW GARBAGE. WHAT THEY'RE
16 DOING IS REVISING THE PERMIT TO MAKE IT CONFORM WITH
17 WHAT THEY HAVE BEEN DOING FOR MANY YEARS, WHICH I KNOW
18 COMMITTEE MEMBERS AREN'T ALWAYS HAPPY WITH, BUT THAT IS
19 WHAT'S OCCURRING HERE. WE HAVE A 1978 PERMIT THAT'S
20 BEING BROUGHT UP TO DATE TO REFLECT OPERATIONS THAT
21 HAVE BEEN GOING ON FOR SOME TIME. SO THIS IS NOT TO
22 REFLECT A REQUESTED INCREASE IN TONNAGE OVER WHAT HAS
23 BEEN OCCURRING.

24 BOARD MEMBER CHESBRO: SO WE HAD A PERMIT
25 WHICH HAD A SPECIFIC AREA THAT WAS SUPPOSED TO BE



1 FILLED BY GARBAGE, BUT, IN FACT, MORE GARBAGE HAS BEEN
2 COMING IN, BUT IT STILL CONSTITUTES -- THERE'S A CHANGE
3 IN THE PERMIT. IT CONSTITUTES A CHANGE IN WHERE THE --
4 FROM WHERE THE OLD PERMIT HAD SAID GARBAGE WAS GOING TO
5 GO, DOES IT NOT? SO IT IS AN EXPANSION. I MEAN I'M
6 KIND OF CONFUSED.

7 MS. RICE: MY UNDERSTANDING IS NO. AGAIN,
8 PERHAPS DON CAN CLARIFY. MY UNDERSTANDING IS THAT THE
9 DISPOSAL FOOTPRINT IS NOT BEING CHANGED BY THE PERMIT.

10 BOARD MEMBER CHESBRO: I'M NOT -- I DIDN'T
11 UNDERSTAND THAT IT WAS LIKE A HORIZONTAL, BUT THAT IT
12 WAS GOING TO GO UP, THAT THERE WAS GOING TO BE MORE
13 GARBAGE PILED ON TOP AS OPPOSED TO WHAT WAS PERMITTED
14 IN THE OLD PERMIT, NOT WHAT'S GOING ON DAILY. I'M
15 COMPARING WHAT WAS PERMITTED WITH WHAT IS PROPOSED TO
16 BE PERMITTED.

17 MR. DIER: DON DIER, P&E DIVISION. COMPARING
18 IT TO WHAT WAS PERMITTED IN THE 1978 PERMIT GETS A
19 LITTLE DICEY BECAUSE THOSE OLD DISCO PERMITS ARE A
20 LITTLE VAGUE ON EXACTLY WHAT IS PERMITTED. BUT THE
21 18.4 ACRES WHICH CONSTITUTES THE CURRENT FOOTPRINT WILL
22 NOT CHANGE. IT'S UNLINED, BUT THERE IS NO PROPOSAL TO
23 GO BEYOND THE FOOTPRINT. THE HEIGHT IS NOT CHANGING
24 EITHER IS OUR UNDERSTANDING.
25 WHAT THEY ARE PROPOSING TO DO IS



1 RECONFIGURE THE SHAPE OF THE VOLUME. AND THAT WILL
2 INCREASE THE AMOUNT OF AIR SPACE AVAILABLE, WHICH
3 EXTENDS THE SITE LIFE FROM THAT WHICH WAS PROJECTED
4 SOME TIME BACK, BUT THE HEIGHT, THE ULTIMATE HEIGHT, IS
5 NOT CHANGING.

6 BOARD MEMBER CHESBRO: WELL, THE AIR SPACE AND
7 THE SHAPE, THE WAY IT LOOKS ISN'T REALLY THE REASON WHY
8 IT MATTERS THAT YOU'RE PUTTING MORE GARBAGE ON TOP OF
9 AN UNLINED AREA. THE REASON THAT IT MATTERS IS BECAUSE
10 OF THE INTERRELATED PROBLEMS OF GROUNDWATER
11 CONTAMINATION AND GAS PRODUCTION.
12 AND IT'S MY UNDERSTANDING THAT THERE IS
13 GROUNDWATER CONTAMINATION AT THE SITE, AND THAT THE
14 GROUNDWATER CONTAMINATION IS LINKED TO GAS PROBLEMS AT
15 THE SITE; IS THAT CORRECT?

16 MR. DIER: THAT'S OUR UNDERSTANDING. THAT'S
17 BEING ADDRESSED BY THE REGIONAL WATER BOARD. THE AREAS
18 UNDER THE LEA'S JURISDICTION HAVE BEEN ADDRESSED UNDER
19 A STIPULATED AGREEMENT, AND THEY HAVE A GAS SYSTEM THAT
20 IS OPERATIONAL. AND AS WAS REPORTED TO THE COMMITTEE
21 YESTERDAY, THE READINGS ARE -- THE MOST RECENT READINGS
22 ARE NOW BELOW 5 PERCENT OF THE PROPERTY BOUNDARY. THIS
23 SITE IS ON THE INVENTORY. IF THE READINGS CONTINUE FOR
24 TWO MORE MONTHS UNDER THE LIMITS, THEN THEY WILL BE
25 REMOVED FROM THE INVENTORY.



1 BOARD MEMBER CHESBRO: AND WHY IS IT THAT
2 WE'RE HEARING THE PERMIT NOW RATHER THAN AFTER IT'S HAD
3 THREE MONTHS WITHOUT VIOLATION?

4 MS. RICE: WE WERE OPERATING UNDER THE POLICY
5 THAT THE BOARD'S BEEN OPERATING UNDER FOR SEVERAL YEARS
6 WHERE PERMITS WITH LONG-TERM GAS VIOLATIONS HAVE BEEN
7 BROUGHT FORWARD TO YOU UNDER AN ORDER AND THEY'RE
8 COMPLYING WITH THAT ORDER. AND IN THIS INSTANCE IN
9 PARTICULAR, UNLIKE SEVERAL OTHERS THAT HAVE BEEN ACTED
10 ON, WE ARE, IN FACT, SEEING GAS LEVELS BELOW THE LEVEL
11 OF REGULATORY CONCERN DUE TO THE INSTALLATION OF THE
12 GAS SYSTEM. SO IN NO WAY IS THIS SETTING A PRECEDENT
13 TO BRING THE PERMIT TO YOU PRIOR TO IT BEING REMOVED
14 FROM THE INVENTORY.

15 BOARD MEMBER CHESBRO: BUT THE VIOLATION --
16 THE IMPROVEMENTS ARE FOR ONE MONTH, NOT FOR THE THREE
17 MONTHS THAT THE ORDER DIRECTED; IS THAT CORRECT?

18 MS. RICE: THE ONE MONTH JUST OCCURRED. WHAT
19 WE LOOK FOR IN TERMS OF INVENTORY IS THREE CONSECUTIVE
20 MONTHS.

21 BOARD MEMBER CHESBRO: THAT WAS MY
22 UNDERSTANDING. WELL, MR. CHAIRMAN, THE ISSUE I'VE HAD
23 WITH PAST PERMITS AND I HAVE HERE IS THAT, IN ESSENCE,
24 WE ARE SIMPLY MODIFYING THE PERMIT TO REFLECT THE
25 EXISTING CONDITIONS; AND, IN FACT, UNTIL WE HAVE THE



1 THREE MONTHS WITHOUT A VIOLATION THAT THE ORDER
2 DIRECTED, APPROVING A PERMIT WHICH PLACES MORE GARBAGE
3 OVER AN UNLINED AREA WITHOUT THE REASSURANCE THAT IT
4 HAS MADE THE PROGRESS ON THE GAS VIOLATION, I THINK
5 THAT WE'RE ESSENTIALLY -- I'M TRYING TO THINK OF A LESS
6 PEJORATIVE TERM THAN RUBBER STAMP -- WE'RE ESSENTIALLY
7 CONFIRMING THE EXISTING CONDITIONS AS OPPOSED TO USING
8 THE PERMIT TO TRY TO ASSURE IMPROVEMENTS AND STEPS
9 TOWARDS COMPLIANCE, SO I HAVE CONCERNS WITH THIS
10 PERMIT.

11 BOARD MEMBER JONES: MR. CHAIRMAN.

12 CHAIRMAN PENNINGTON: YES, MR. JONES.

13 BOARD MEMBER JONES: THE FACT THAT THE -- THE
14 FACT THAT THE NOTICE AND ORDER OR THE STIPULATED ORDER,
15 IT REQUIRED THAT A GAS EXTRACTION SYSTEM BE PUT IN, AND
16 THAT GAS EXTRACTION SYSTEM HAS BEEN PUT IN, IT IS
17 OPERATING, AND NOW WE'VE GOT THE FIRST MONTH THAT IT'S
18 COME UNDER, SO IT'S DOING ITS JOB.

19 AND I THINK THAT, YOU KNOW, THE ONLY
20 ISSUE HERE REALLY IS THAT IF THEY GO THREE MORE MONTHS,
21 THEY COME OFF THE INVENTORY.

22 MS. RICE: CORRECT.

23 BOARD MEMBER JONES: THEY HAVE ADHERED TO THE
24 STIPULATED ORDER, CORRECT?

25 MS. RICE: CORRECT.



1 BOARD MEMBER JONES: WHICH THE POLICY OF THIS
2 BOARD WAS ON LONG-TERM GAS VIOLATIONS, STIPULATED ORDER
3 AND THEN THE REMEDIATION. AND I UNDERSTAND WHAT YOU
4 ARE SAYING, MR. CHESBRO. I JUST -- I'M WONDERING THAT
5 THEY PUT IN THE GAS EXTRACTION SYSTEM AND IT'S
6 WORKING. AND NOW THEY'RE TRYING TO GO FROM THEIR 33
7 TONS TO 66, BUT I GUESS THEY ACCEPT 66 EVERY DAY NOW
8 ANYWAY.

9 MR. DIER: UNDER THE STIPULATED AGREEMENT.

10 BOARD MEMBER JONES: ALL WE'RE GOING TO DO --
11 ALL THIS DOES IS GETS A 1978 PERMIT UP TO SPEED WITH
12 ALL THE ENVIRONMENTAL CONCERNS THAT HAVE BEEN TAKEN
13 CARE OF --

14 MS. RICE: THAT'S CORRECT.

15 BOARD MEMBER JONES: -- WITH THE GAS
16 EXTRACTION SYSTEM. THAT'S - - AND I UNDERSTOOD FROM THE
17 LEA YESTERDAY AND FROM YOUR STAFF THAT -- BECAUSE I HAD
18 QUESTIONS ABOUT THE HEIGHT, IT DIDN'T MAKE ANY SENSE TO
19 ME. BUT WHEN THEY STARTED TALKING THAT THERE WOULD BE
20 NO ELEVATION CHANGE, THEN THE RECONFIGURATION, THEY'RE
21 GOING TO GET THEIR CAPACITY OUT OF THE RECONFIGURING
22 THOSE SLOPES.

23 MS. RICE: IN TERMS OF THE GAS VIOLATION, THIS
24 FACILITY IS MUCH FURTHER ALONG THAN A NUMBER OF
25 FACILITIES THAT YOU'VE ACTED ON THE PERMIT IN THE PAST



1 WHERE THERE HAS SIMPLY BEEN AN ORDER IN PLACE. IN
2 FACT, YOU WILL RECALL JUST SEVERAL MONTHS AGO WHERE A
3 PERMIT CAME FORWARD AND THE ISSUE WAS WOULD THEY PUT AN
4 ORDER IN PLACE. SO THEY HAD NOT EVEN BEGUN
5 CONSTRUCTION OR INSTALLATION OF THE GAS SYSTEM.

6 BOARD MEMBER JONES: AS I REMEMBER, WE
7 DEMANDED.

8 MS. RICE: CORRECT.

9 BOARD MEMBER JONES: I MEAN WE DIDN'T HAVE THE
10 RIGHT, BUT WE TOLD THEM YOU'RE NOT GETTING IT UNLESS
11 YOU PUT TOGETHER A STIPULATED ORDER THAT ADDRESSES THE
12 ISSUE.

13 MS. RICE: AS A CONDITION OF YOUR CONCURRING
14 IN THE PERMIT.

15 MR. DIER: THAT WAS THE BILLY WRIGHT LANDFILL
16 IN MERCED COUNTY, AND THE BOARD AGREED WITH THE, YOU
17 KNOW, A PROVISION TO HAVE A PLAN WITHIN TWO YEARS, SO
18 TO ADDRESS THAT.

19 MR. CHANDLER: MR. CHAIRMAN, I THINK IT'S
20 IMPORTANT TO NOTE AS, YOU KNOW, SOME OF THE POINTS THAT
21 MR. CHESBRO IS MAKING IS THAT WE SEEM TO REVISIT THIS
22 ISSUE PERIODICALLY. AND THE ISSUE IS, IN MY VIEW, A
23 BLURRING OF THE LINES BETWEEN WHAT IS AN ENFORCEMENT
24 ACTION AND WHAT IS A PERMIT ACTION. WHAT I MEAN BY
25 THAT IS THAT I THINK THE ISSUES THAT MR. CHESBRO IS



1 RAISING, AS LEGITIMATE AS THEY ARE, FALL MORE INTO THE
2 ARENA OF ARE WE SEEING PROPER ENFORCEMENT AT THE SITE?
3 ARE WE SEEING THE PROPER ACTIONS TAKEN BY THE OPERATOR
4 OR LEA IN ENSURING THAT THESE MINIMUM STANDARDS ARE NOT
5 BEING VIOLATED? AND THAT IS AN ENTIRELY SEPARATE
6 DISCUSSION FROM THE APPROPRIATENESS OF BRINGING THE
7 PERMIT CURRENT TO MEET THE OPERATIONS THAT ARE
8 APPROPRIATE AND ONGOING AT THE SITE.
9 AND TO BRING BACK THE ENFORCEMENT ISSUES
10 INTO THE PERMIT DISCUSSION IS ONE THAT WE SEEM TO
11 REVISIT PERIODICALLY, BUT I THINK IS VERY CONFUSING FOR
12 OPERATORS, LEA'S, AND STAFF WHEN WE GET THESE POLICIES
13 INTERTWINED. WE HAVE A POLICY ASKING FOR THESE TYPES
14 OF FACILITIES TO BE BROUGHT CURRENT IN THEIR PERMITS,
15 AND AT THE SAME TIME WE HAVE A SEPARATE POLICY THAT
16 DEALS WITH TAKING THE KIND OF APPROPRIATE ENFORCEMENT
17 ACTION THAT'S NEEDED AND THE APPROPRIATE UPGRADES TO
18 THESE FACILITIES THAT CAN REDUCE THE VIOLATIONS TO
19 STATE MINIMUM STANDARDS.
20 AND I, FOR ONE, WOULD LIKE TO CONTINUE TO
21 TRY TO KEEP THESE ISSUES CLEAR AND SEPARATE AS OPPOSED
22 TO PROVIDING WHAT I FEEL IS THE CONFUSION WHERE THEY
23 GET INTERTWINED, AND ENFORCEMENT DISCUSSIONS TURN INTO
24 A PERMIT DISCUSSION.

25 BOARD MEMBER JONES: MR. CHAIRMAN, IF THERE'S



1 NO MORE DISCUSSION.

2 CHAIRMAN PENNINGTON: MR. JONES.

3 BOARD MEMBER JONES: I WILL MAKE A MOTION THAT
4 WE ADOPT RESOLUTION 98-158 IN THE ISSUANCE OF THE
5 REVISED FACILITY PERMIT.

6 BOARD MEMBER FRAZEE: SECOND.

7 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND
8 SECONDED. ANY FURTHER DISCUSSION? IF NOT, WILL THE
9 SECRETARY CALL THE ROLL.

10 THE SECRETARY: BOARD MEMBER AMODIO. ABSENT.

11 BOARD MEMBER CHESBRO.

12 BOARD MEMBER CHESBRO: NO.

13 THE SECRETARY: EATON.

14 BOARD MEMBER EATON: (NO AUDIBLE RESPONSE.)

15 THE SECRETARY: FRAZEE.

16 BOARD MEMBER FRAZEE: AYE.

17 THE SECRETARY: JONES.

18 BOARD MEMBER JONES: AYE.

19 THE SECRETARY: CHAIRMAN PENNINGTON.

20 CHAIRMAN PENNINGTON: AYE. MOTION CARRIES.

21 OKAY. ARE WE -- MR. EATON, ARE YOU PREPARED TO TAKE UP
22 ITEM 36 NOW?

23 BOARD MEMBER EATON: YES, I AM. FIRST

24 PROPOSAL. I HAVE -- I'D LIKE TO DO A MOTION TO DIVIDE
25 WITH REGARD TO THE THREE ITEMS THAT ARE IN THAT. MY



1 CONCERN REGARDS HILLTOP DRIVE BURN DUMP, AND I BELIEVE
2 THAT MY CONCERNS REGARD THE PRIORITIZATION, THE
3 ENVIRONMENTAL, AND FISCAL ASPECTS OF THAT PARTICULAR
4 GRANT. AND IF THE BOARD WOULD ALLOW ME THE INDULGENCE
5 TO MEET WITH STAFF WITH REGARD TO THAT PARTICULAR ITEM
6 AND CARRY THAT OVER TO THE JUNE AGENDA, THEN I THINK WE
7 COULD JUST PUT THE OTHER TWO ITEMS ON 36 BACK ON
8 CONSENT AND MOVE FORWARD.
9 I THINK IF I HAVE ENOUGH TIME, I JUST
10 DON'T BELIEVE THAT WE HAVE ENOUGH INFORMATION WITH
11 REGARD TO THIS BEFORE MAKING A DECISION.

12 CHAIRMAN PENNINGTON: EXCUSE ME.

13 THE SECRETARY: WE NEED A CLARIFICATION ON
14 THAT LAST VOTE. ARE YOU ABSTAINING, MR. EATON?

15 BOARD MEMBER EATON: UH-HUH.

16 CHAIRMAN PENNINGTON: OH. I THOUGHT YOU SAID
17 AYE. WELL, LET'S SEE. THAT MEANS THAT THE MOTION DID
18 NOT CARRY.

19 MS. RICE: AND MEANS THAT THE PERMIT GOES
20 FORWARD WITHOUT CONCURRENCE OF THE BOARD. IS THAT A
21 CORRECT WAY TO PUT IT, COUNSEL? SO JUNE 6TH WE WILL
22 TRANSMIT IT TO THE LEA.

23 CHAIRMAN PENNINGTON: OKAY. NOW YOU WOULD
24 LIKE TO SPLIT OUT WHICH ONE?

25 BOARD MEMBER EATON: ITEM 36 IS THE HILLTOP



1 DRIVE BURN.

2 CHAIRMAN PENNINGTON: HILLTOP DRIVE BURN.

3 MS. TOBIAS: MR. CHAIRMAN, I HATE TO BE TOO

4 BUREAUCRATIC WITH THIS, BUT I THINK THE PROPER

5 PROCEDURE WOULD BE TO PULL THIS OFF OF CONSENT. AND

6 THEN IF MR. EATON WANTS TO MAKE A MOTION ON APPROVAL OF

7 PORTIONS OF IT, THAT WOULD BE OKAY. I'M A LITTLE

8 UNCOMFORTABLE WITH PULLING OFF A PORTION OF IT AND THEN

9 PUTTING SOME OF IT BACK ON SINCE THAT'S NOT THE WAY

10 IT'S BEEN NOTICED. SO I APOLOGIZE IF IT SOUNDS

11 KNIT-PICKY, BUT IT IS.

12 BOARD MEMBER EATON: HOW ABOUT IF I MOVE TO DIVIDE THE

13 QUESTION?

14 CHAIRMAN PENNINGTON: WE'VE ALREADY --

15 MS. TOBIAS: I'M TALKING MORE ABOUT THE

16 NOTICING ISSUE.

17 CHAIRMAN PENNINGTON: WE'VE ALREADY TAKEN IT

18 OFF THE CONSENT CALENDAR. WHAT SHE'S SAYING IS YOU CAN

19 MOVE TO APPROVE THE TWO SITES THAT YOU DON'T HAVE A

20 PROBLEM WITH AND HAVE THE THIRD SITE FOR DISCUSSION AND

21 BRING IT UP AT A LATER TIME.

22 BOARD MEMBER CHESBRO: I THINK THAT'D BE THE

23 SIMPLEST WAY TO DO IT.

24 CHAIRMAN PENNINGTON: I DO TOO. WOULD YOU

25 LIKE TO MAKE A MOTION, MR. EATON, THAT APPROVES THE



1 TWO?

2 BOARD MEMBER FRAZEE: JUST ADOPT THE
3 RESOLUTION STRIKING THE HILLTOP DRIVE BURN DUMP AND
4 THAT WOULD ACCOMPLISH THAT.

5 CHAIRMAN PENNINGTON: THAT'S FINE. WOULD YOU
6 LIKE TO MAKE THAT MOTION, MR. EATON?

7 BOARD MEMBER EATON: I'D LIKE TO MOVE
8 RESOLUTION 98-154 WITH THE AMENDMENT THAT WE STRIKE
9 THAT PORTION OF 98-154 RELATING TO HILLTOP DRIVE BURN
10 DUMP AND, THEREFORE, WOULD MOVE THAT MOTION AS AMENDED
11 OR AS STRICKEN.

12 CHAIRMAN PENNINGTON: OKAY.

13 BOARD MEMBER FRAZEE: SECOND.

14 CHAIRMAN PENNINGTON: MR. FRAZEE SECONDS. IS
15 THERE ANY DISCUSSION ON THAT PART?

16 BOARD MEMBER JONES: I HAVE A QUESTION. WHEN
17 IS THIS -- WHEN IS IT PRESUMED THAT WE'RE GOING TO HEAR
18 THE ITEM AGAIN?

19 CHAIRMAN PENNINGTON: AT THE NEXT BOARD
20 MEETING.

21 BOARD MEMBER JONES: IS THAT -- I GUESS MY
22 QUESTION IS WERE THERE JUST QUESTIONS THAT WEREN'T
23 ANSWERED, OR CAN WE TALK ABOUT THEM HERE AT THE BOARD
24 MEETING? I DON'T UNDERSTAND -- I DON'T HAVE A PROBLEM
25 WITH YOU GETTING MORE INFORMATION. I JUST THINK THIS



1 IS THE PROPER SETTING FOR IT AS OPPOSED TO A BRIEFING
2 LATER ON.

3 BOARD MEMBER EATON: I'M HAPPY TO OPEN IT UP
4 RIGHT NOW.

5 CHAIRMAN PENNINGTON: OKAY. LET'S --

6 BOARD MEMBER EATON: I'M HAPPY TO OPEN IT UP.
7 LET'S GO TO THE AB 2136 --

8 MS. TOBIAS: EXCUSE ME.

9 CHAIRMAN PENNINGTON: LET'S TAKE CARE OF THE
10 MOTION WE HAVE ON THE FLOOR FIRST, AND THEN WE CAN
11 DISCUSS THE HILLTOP DRIVE BURN DUMP. OKAY. SO IS
12 THERE ANY FURTHER DISCUSSION ON THE MOTION TO ACCEPT
13 RESOLUTION 98-154 AS AMENDED? IF NOT, WILL THE
14 SECRETARY CALL THE ROLL'.

15 THE SECRETARY: BOARD MEMBER AMODIO. ABSENT.

16 BOARD MEMBER CHESBRO.

17 BOARD MEMBER CHESBRO: AYE.

18 THE SECRETARY: EATON.

19 BOARD MEMBER EATON: AYE.

20 THE SECRETARY: FRAZEE.

21 BOARD MEMBER FRAZEE: AYE.

22 THE SECRETARY: JONES.

23 BOARD MEMBER JONES: AYE.

24 THE SECRETARY: CHAIRMAN PENNINGTON.

25 CHAIRMAN PENNINGTON: AYE. MOTION CARRIES.



1 THOSE TWO ARE APPROVED.

2 NOW, MR. EATON, DO YOU HAVE SOME

3 QUESTIONS ON HILLTOP?

4 BOARD MEMBER EATON: NO. I'M FINE RIGHT NOW.

5 IF MR. JONES WANTS TO MAKE A SUBSTITUTE MOTION, THEN WE

6 CAN DEBATE THAT. I'M HAPPY. MY PARTICULAR MOTION WAS

7 TO STRIKE HILLTOP DRIVE BURN DUMP AND THE BOARD PASSED

8 THAT. I'M NOW READY TO SEE IF HE HAS A SUBSTITUTE

9 MOTION.

10 MS. TOBIAS: THIS WILL NOT BE A SUBSTITUTE

11 MOTION. WHAT YOU COULD DO AT THIS POINT IS DISCUSS THE

12 DISPOSITION OF THE REMAINING PORTION OF THE ITEM AND IF

13 SOMEBODY WANTS TO MAKE A MOTION. IF SOMEBODY DOESN'T

14 MAKE A MOTION, THEN STAFF CAN BRING THIS BACK NEXT

15 MONTH FOR FURTHER DISCUSSION.

16 BOARD MEMBER JONES: MY QUESTION DURING THE

17 THING WAS, WHAT I WANTED TO KNOW IS WHEN THE THING IS

18 GOING TO COME BACK.

19 BOARD MEMBER EATON: JUNE.

20 BOARD MEMBER JONES: IF IT IS A MATTER OF MORE

21 INFORMATION GATHERING, I DON'T HAVE A PROBLEM WITH

22 THAT. I'D LIKE THE ISSUES DISCUSSED IN THIS SETTING.

23 AND WHETHER THAT'S TODAY OR IN JUNE, I DON'T HAVE A

24 PROBLEM WITH THAT, BUT I JUST - - I HAVE A - - I DON'T

25 KNOW. YOU HAVE A RIGHT TO GET ALL THE INFORMATION YOU



1 WANT, AND I'M NOT BEGRUDGING YOU THAT. I JUST KIND OF
2 DIDN'T UNDERSTAND THE MOTION, THAT IF YOU AND STAFF GOT
3 TOGETHER OVER THE NEXT MONTH AND YOU GOT YOUR QUESTIONS
4 ANSWERED, THEN IT COULD COME FORWARD. I'M JUST
5 WONDERING IF WE'RE GOING TO BE PRIVY TO THE SAME
6 INFORMATION, QUESTIONS, THOSE TYPES OF THINGS. YOU
7 KNOW, I MEAN YOU HAVE EVERY RIGHT TO GET ALL THE
8 INFORMATION YOU WANT. I DON'T HAVE A PROBLEM WITH
9 THAT. I DON'T WANT TO BE EXCLUDED FROM THIS PROCESS,
10 AND THAT'S MY ISSUE. SO I DON'T NEED TO GIVE A
11 SUBSTITUTE MOTION. I JUST NEED TO GET SOME
12 CLARIFICATION AS TO THE PROCESS.

13 CHAIRMAN PENNINGTON: THE PROCESS IS THAT, AS
14 IT STANDS NOW, IF SOMEONE MAKES A MOTION AND IT'S
15 SECONDED, WE CAN DISCUSS THE HILLTOP DRIVE BURN NOW AND
16 TAKE A VOTE ON IT. IF NO ONE WISHES TO MAKE A MOTION
17 TO BRING THAT FORWARD, WE'LL MOVE ON TO THE NEXT ITEM,
18 AND THAT WILL BE BROUGHT BACK TO THE JUNE BOARD
19 MEETING.

20 BOARD MEMBER EATON: PERHAPS I CAN HELP MR.
21 JONES. MY CONCERNS ARE SEVERAL. ONE, I'M CONCERNED
22 ABOUT THE PRIORITIZATION PROCESS BY WHICH THIS SITE WAS
23 SELECTED AND ALSO THE AMOUNT OF MONEY TO THE TUNE OF
24 ALMOST A MILLION DOLLARS THAT SUDDENLY WAS HERE. ALSO,
25 I'M CONCERNED ABOUT THE STATUTORY GUIDANCE THAT WE HAVE



1 CONTAINED WITHIN THE MEASURE FOR SELECTING THIS SITE.

2 AND I JUST DON'T BELIEVE -- I DON'T KNOW, FOR INSTANCE,

3 WAS THE WATER WAS THE REGIONAL WATER BOARD CONTACTED

4 WITH REGARD TO THIS SITE?

5 CHAIRMAN PENNINGTON: WELL, THERE'S NO REASON

6 THAT WE CAN'T HAVE THE STAFF IF THEY'RE HERE.

7 BOARD MEMBER EATON: I'M JUST TRYING TO

8 EXPLAIN TO MR. JONES WHAT WE HAVE HERE. I THINK WHAT

9 WE HAVE IS AB 2136. IT'S A LEGAL CLEANUP. WE HAVE A

10 SITE HERE WHERE WE HAVE A RESPONSIBLE -- SEVERAL

11 RESPONSIBLE PARTIES, AND WE'RE PAYING MORE THAN OUR

12 FAIR SHARE ALMOST TO THE TUNE OF LIKE 80 OR 90

13 PERCENT. WE HAVE THREE DIFFERENT OTHER ENTITIES THAT

14 ARE PARTICIPATING UNDER A COVER OF MATCH OF ROUGHLY 25

15 PERCENT.

16 AND I THINK THAT WE NEED TO FIND OUT WHAT

17 WAS EXPLORED WITH REGARD TO A LOAN SINCE THESE ARE

18 PUBLIC ENTITIES AND ARE ABLE TO RESPOND AND REPAY THE

19 LOAN; THEREFORE, WE MAXIMIZE OUR MONIES AND WE RECYCLE

20 OUR MONEY, TO USE THE TERM, SO THAT WE CAN USE IT AGAIN

21 AND AGAIN AND AGAIN INSTEAD OF JUST AT THE END OF THE

22 YEAR COMING UP AND SAYING WE'VE GOT THIS AMOUNT OF

23 MONEY, AND NOW WE'RE JUST GOING TO MOVE IT OUT THE DOOR

24 AND JUST GIVE IT AWAY. I DON'T THINK THAT'S

25 RESPONSIBLE PUBLIC POLICY. I DON'T THINK THAT'S GOOD



1 POLICY. AND I DON'T THINK THAT'S WHAT WE SHOULD BE
2 DOING THERE.

3 BOARD MEMBER JONES: I HAVE NO OBJECTION TO
4 ANYTHING YOU SAID. WE'VE BEEN SAYING THE SAME THING.
5 I KNOW MR. FRAZEE HAS, I KNOW THAT MR. CHESBRO HAS, THE
6 CHAIRMAN HAS, I HAVE ON MANY OCCASIONS WHEN WE TALK
7 ABOUT THOSE THINGS. SO I DON'T HAVE ANY PROBLEM WITH
8 GETTING INTO EVERY ONE OF THOSE ISSUES. I THINK YOU'RE
9 A HUNDRED PERCENT RIGHT ON EVERY ONE OF THOSE THINGS.
10 I JUST WANTED TO KNOW, YOU KNOW -- I MEAN THIS IS GOOD
11 DISCUSSION.

12 BOARD MEMBER EATON: YOU HAD THIS YESTERDAY.
13 WERE THESE OPTIONS EXPLORED?

14 BOARD MEMBER JONES: YOU BET. WE TALKED ABOUT
15 THE MATCH, WE TALKED ABOUT THE -- WE DIDN'T TALK ABOUT
16 THE PRIORITIZATION BECAUSE, AS FAR AS I'M CONCERNED,
17 IT'S USUALLY WHOEVER THE LAST ONE IS THROUGH THE DOOR
18 WITH A GOOD PROJECT, BUT THAT'S JUST MY OPINION. SO I
19 DELVED INTO THAT QUITE A FEW TIMES AND NEVER UNDERSTOOD
20 THE PRIORITIZATION.

21 BOARD MEMBER EATON: SO YOU HAVE INFORMATION
22 THAT YOU GOT, BUT DIDN'T SHARE WITH THE REST OF THE
23 BOARD TODAY ON THAT.

24 BOARD MEMBER JONES: IT WAS AT THE COMMITTEE
25 YESTERDAY.



1 BOARD MEMBER EATON: YOU JUST ACCUSED ME OF
2 JUST SAYING, WELL, I'D LIKE TO HAVE THE DISCUSSION
3 HERE.

4 BOARD MEMBER JONES: NO, MR. EATON.

5 BOARD MEMBER EATON: NO, LET'S JUST GET RIGHT
6 HERE.

7 BOARD MEMBER JONES: THAT'S FINE. LET'S GO.

8 BOARD MEMBER EATON: LET'S GO. IF YOU
9 DISCUSSED THIS, WHAT WAS THE 75 -- WHAT WAS THE LOAN?
10 WHAT WAS THE PROBLEM WITH THE LOAN?

11 BOARD MEMBER JONES: THEY DIDN'T ASK FOR A
12 LOAN. THEY ASKED FOR A GRANT.

13 BOARD MEMBER EATON: WHY DIDN'T WE --

14 BOARD MEMBER JONES: THEY ASKED FOR A GRANT,
15 SO THE ITEM IN FRONT OF US WAS A GRANT REQUEST, SO WE
16 DIDN'T EXPLORE EVERY OTHER OPTION TO US BECAUSE MOST
17 PEOPLE DON'T GET LOANS IN 2136. I THINK THE ONLY ONES
18 THAT HAVE ARE SAN DIEGO COUNTY. AND THE MATCH, THE
19 PEOPLE FROM REDDING CAME FORWARD, AND THEIR MATCH OF 25
20 PERCENT TO THIS PROJECT, WE ASKED WHO THE RESPONSIBLE
21 PARTY WAS. IT'S ACTUALLY LAND -- BECAUSE I THOUGHT IT
22 COULD HAVE BEEN WITH THE CITY OF REDDING.

23 BOARD MEMBER EATON: IT'S OWNED BY
24 REDEVELOPMENT AGENCY.

25 BOARD MEMBER JONES: RIGHT. BECAUSE IT HAS



1 BEEN INCLUDED IN THEIR GENERAL PLAN AND THEY TOOK IT
2 OVER. IN AN EXPANSION THEY TOOK THAT LAND AS PART OF
3 THE CITY. THE EXISTING BURN DUMP WAS IN THE COUNTY;
4 AND THROUGH PART OF THEIR NORMAL GOBBLING STUFF UP,
5 THIS ENDED UP IN THAT AREA. AND THEY ALSO MADE IT
6 AWARE TO US AND I'M NOT SURE OF THE NUMBER. IT WAS
7 EITHER 115 OR 156,000 THAT WAS GOING IN TO -- 150,000
8 THAT THEY'RE PUTTING IN AFTER THIS SITE BECOMES
9 REMEDIATED FOR THE WALKING PATHS AND THINGS LIKE THAT
10 FOR THE RESIDENTS UP THERE. BUT THAT 150,000 COULD NOT
11 BE COUNTED AS PART OF THE MATCH BECAUSE FOR WHATEVER
12 REASON. SO IT WAS OVER AND ABOVE THEIR 25 PERCENT THEY
13 HAD PUT IN ANOTHER 150,000 FOR THE TRAILS AND PATHS
14 AFTER THE THING GETS REMEDIATED.

15 BOARD MEMBER EATON: ANY IDEA OF THE
16 REDEVELOPMENT AGENCY'S TAX INCREMENT PROPOSALS?

17 CHAIRMAN PENNINGTON: PERHAPS AT THIS POINT WE
18 CAN HAVE THE STAFF RESPOND TO SOME OF THESE QUESTIONS
19 SINCE THEY WERE THE SOURCE AT THE COMMITTEE MEETING.
20 MAYBE, MARGE, YOU COULD RESPOND TO SOME OF MR. EATON'S
21 QUESTIONS.

22 MS. ROUCH: WELL, I THINK THERE'S A LITTLE BIT
23 OF MISCONCEPTION, AND IT MIGHT BE BASED ON THE WAY THE
24 ITEM WAS WRITTEN. THE REDEVELOPMENT AGENCY IS
25 RESPONSIBLE FOR PART OF THE PROPERTY, BUT THE MCCONNELL



1 FOUNDATION AND THE APARTMENT OWNERS ARE TWO OTHER
2 PARTIES WHO OWN PROPERTY THERE.
3 THE APARTMENT OWNERS ARE WILLING - - THEY
4 HAVE A LITTLE BIT OF BURN ASH ON THEIR SITE, AND THEY
5 WERE WILLING TO DO A LOT LINE ADJUSTMENT, GIVING THAT
6 PIECE OF PROPERTY WITH THE BURN ASH ON IT, SHOULD IT BE
7 REMEDIATED, TO THE CITY, SO THEY WILL NOT BE BENEFITING
8 PER SE.
9 THE MCCONNELL FOUNDATION UP TO THIS POINT
10 HAS REFUSED TO PARTICIPATE, BUT WE FULLY EXPECT TO DO
11 COST RECOVERY AGAINST THEM. SO I THINK YOU HAD SAID
12 THERE WAS ONLY THIS 25 PERCENT COMMITTED TO THIS
13 PROJECT. THERE COULD BE MORE BASED ON WHATEVER HAPPENS
14 WITH COST RECOVERY AGAINST THE MCCONNELL FOUNDATION.
15 I THINK THE ITEM WASN'T WRITTEN CLEARLY
16 ON THAT. THE CITY -- THE CITY HAS OFFERED THE 25
17 PERCENT. I THINK IN THEIR MINDS THEY FEEL THAT THAT'S
18 WHAT THEY CAN AFFORD. WE HAVE DONE ANOTHER PROJECT IN
19 THE PAST WHERE THE LOCAL JURISDICTIONS HAVE CONTRIBUTED
20 25 PERCENT, SO STAFF ACCEPTED THAT AS A GOOD FAITH
21 EFFORT FOR BEING INCLUDED IN THE PROJECT. WE COULD ASK
22 FOR MORE. YOU KNOW, THAT'S SOMETHING WE COULD DO.
23 AS FAR AS LOANS GO, I THINK THIS WHOLE
24 PROGRAM IS WRITTEN ON THE PREMISE THAT YOU CAN DO MANY
25 OF THESE THINGS, BUT I DON'T THINK WE'RE GOING TO GET



1 ANY REQUEST FOR LOANS AS LONG AS GRANTS ARE POSSIBLE.

2 IT'S JUST THE WAY IT'S WRITTEN.

3 BOARD MEMBER EATON: HOW ABOUT WITH REGARD TO
4 OTHER -- WHAT OTHER SITES WERE FOR YOUR REVIEW WITH THE
5 REMAINING MONEY THAT WAS LEFT IN THE AB 2136 ACCOUNT?

6 MS. ROUCH: WE ARE WORKING ON -- THEY'RE IN
7 THE OTHER COMMITTEE ITEM, THE STATUS REPORT, WHICH I
8 THINK YOU'VE RECEIVED A COPY OF. THERE'S ABOUT EIGHT
9 ITEMS THAT WE'RE LOOKING AT, BUT THEY ARE NOT TO THE
10 POINT WHERE WE CAN BRING THEM TO THE BOARD YET. AND SO
11 THIS JUST FELL IN WITH THE MONEY WE HAVE.

12 WE STILL HAVE A LITTLE BIT OF MONEY IN
13 OUR CONTRACTS. WE COULD DO -- I THINK -- I BELIEVE WE
14 HAVE A LITTLE OVER A MILLION DOLLARS IN CONTRACTS FOR
15 FUTURE PROJECTS. WE HAVE 970,000 IN THE GRANT AND LOAN
16 MECHANISM ITSELF THAT WE SET ASIDE AT THE BEGINNING OF
17 EACH FISCAL YEAR THAT DOES NOT GO FOR BOARD CONTRACTS,
18 AND THERE'S THAT MUCH MONEY LEFT THAT I WILL BE COMING
19 TO YOU NEXT MONTH ASKING FOR THE USE OF THAT IN A
20 DIFFERENT WAY.

21 BOARD MEMBER EATON: WHAT'S THE ENVIRONMENTAL
22 RISK OF THIS PARTICULAR SITE VERSUS THOSE OTHER EIGHT
23 OR NINE? AND WHICH IS THE MORE - - WHAT IS YOUR
24 PRIORITY SCHEME FOR RANKING THEM ACCORDING TO THE
25 STATUTE?



1 MS. ROUCH: WE HAVE DEVELOPED TWO DIFFERENT
2 RANKING SYSTEMS FOR THIS PROGRAM. ONE IS FOR
3 ENVIRONMENTAL REMEDIATIONS LIKE BURN ASH SITES AND OLD
4 LANDFILLS, EXCLUDING EVERYTHING BUT ILLEGAL DISPOSAL
5 SITES. AND THERE'S A FORMAL SYSTEM FOR THAT. AND
6 ILLEGAL DISPOSAL SITES HAVE THEIR OWN RANKING SYSTEM,
7 AND IT'S A VERY SIMPLE SYSTEM COMPARED TO THE OTHER ONE
8 BECAUSE USUALLY ILLEGAL DISPOSAL SITES DON'T HAVE THE
9 SAME KIND OF HEALTH AND SAFETY RISKS THAT A BURN ASH
10 SITE WOULD. SO IN THAT SENSE THIS SITE WOULD SCORE
11 MUCH HIGHER THAN LOT OF OTHER ONES. I CAN'T TELL YOU
12 WITHOUT LOOKING AT THE OTHER SITES WE'RE LOOKING AT
13 RIGHT NOW.

14 BOARD MEMBER EATON: THAT'S KIND OF WHERE I'M
15 GETTING AT IS THAT WE SHOULD HAVE ALL THE SITES
16 AVAILABLE TO US WHEN WE DIVIDE UP THE MONEY THAT'S
17 REMAINING BECAUSE THERE MAY BE OTHER FACTORS THAT
18 AFFECT IT. AND I THINK THAT THAT'S WHAT WE'RE LOOKING
19 AT, AND THAT'S SIMPLY THIS ONE WAS AN ADD-ON. AND I
20 THINK IF WE'RE GOING TO DO THE OTHER EIGHT, LET'S DO
21 ALL NINE AT THE SAME TIME AND LOOK AT WHERE WE WANT TO
22 DIVIDE UP THE MONEY. THAT'S HOW WE'VE DONE IT ALL
23 ALONG, AND THAT'S MY POINT HERE.
24 THAT'S WHY I WAS TRYING TO AVOID THIS
25 PUBLIC DISCUSSION, TO SEE IF THERE WAS A WAY THAT WE



1 COULD INCLUDE THOSE. AS ALL NINE COMES BEFORE US, WE
2 LOOK AT THEM, WE RANK THEM, WE THINK WHAT'S THE BEST
3 USE FOR THEM, AND WHERE THE BOARD IS FOR PROTECTING THE
4 TAXPAYERS. IT'S THAT SIMPLE.

5 MS. RICE: IF I MIGHT ADD SOME ADDITIONAL
6 INFORMATION, THIS SITE WAS NOT AN ADD-ON. WE'VE BEEN
7 WORKING ON IT FOR SOME MONTHS. IT JUST HAPPENED TO BE
8 READY FOR THIS MONTH'S DISCUSSION.
9 THE OTHER EIGHT SITES THAT ARE BEING
10 LOOKED AT WILL BE BROUGHT FORWARD WHEN THEY ARE READY.
11 A LOT HAS TO DO WITH THE TIME IT TAKES FOR STAFF TO
12 EXPLORE THE SITE AND DETERMINE WHEN IT'S -- ENOUGH HAS
13 BEEN PURSUED IN TERMS OF ENFORCEMENT EFFORTS AT THE
14 LOCAL LEVEL AND OTHER STEPS.
15 ADDITIONALLY, A DISCUSSION WE'VE HAD A
16 NUMBER OF TIMES WITH THE BOARD, AND APPARENTLY IT'S A
17 CONCEPT THAT EITHER WE'RE NOT CLEARLY COMMUNICATING OR
18 IS NOT THE RIGHT CONCEPT, BUT WHAT WE HAVE BEEN
19 COMMUNICATING, AND, YOU KNOW, YOU MAY WANT TO CHANGE
20 THAT DIRECTION, IS THAT WHAT WE HAVE FOUND THROUGH THE
21 USE OF THESE TWO RANKING SYSTEMS IS THAT THE TWO SETS
22 OF SITES RANK VERY SIMILARLY.
23 YOU CAN COMPARE ONE BURN ASH SITE TO
24 ANOTHER, AND YOU ARE NOT GOING TO FIND WIDELY DISPARATE
25 SCORES IN TERMS OF THE ENVIRONMENTAL THREAT POSED. WE



1 LOOK FOR SOME VERY GENERAL CHARACTERISTICS, PROXIMITY
2 TO WATER, PROXIMITY TO PEOPLE, LIKELIHOOD THAT KIDS
3 WILL RUMMAGE THROUGH THE SITE, ALL OF WHICH WERE VERY
4 HIGH FOR THIS SITE, SIMILAR TO MANY OTHERS. SO ALL OF
5 THE BURN DUMPS TEND TO RANK SIMILARLY. ALL OF THE OLD
6 LANDFILLS TEND TO RANK SIMILARLY. ALL OF THE ILLEGAL
7 DISPOSAL SITES TEND TO RANK SIMILARLY, SO WE HAVE MORE
8 CLUMPS RATHER THAN A ONE TO 100 OR ANY OTHER KIND OF
9 NUMERICAL LISTING WHERE YOU PICK OFF ONE AT A TIME AS
10 YOUR MOST THREATENING BECAUSE THEY REALLY DO FALL INTO
11 RANGES OF SIMILAR THREAT. THAT'S SIMPLY THE NATURE OF
12 SOLID WASTE, QUITE FRANKLY, THAT THERE ARE SIMILAR
13 ISSUES POSED BY A PILE OF SOLID WASTE REGARDLESS OF
14 WHERE IT MAY BE. SO WE LOOK MORE AT THE EXTERNAL
15 FACTORS, PEOPLE AND THE ENVIRONMENT.

16 BOARD MEMBER EATON: I APPRECIATE THAT, BUT I
17 GET A LITTLE NERVOUS WHEN WE HAVE A STAFF ANALYSIS THAT
18 QUOTES FROM A NEWSPAPER AS A BASIS FOR SAYING THAT
19 THERE'S A WATER QUALITY ISSUE. AND HERE WE HAVE MR.
20 MADSEN ESTIMATED IT UP TO 400 CUBIC YARDS OF SEDIMENT
21 ENTERED IN A MONTH. I'M NOT GOING TO DISPUTE THAT, BUT
22 I ALSO THINK THAT WE PAY A LOT OF MONEY TO THE WATER
23 QUALITY BOARD AND OTHER BOARDS TO KIND OF FIGURE OUT
24 WHAT IT IS THAT WE'RE LOOKING AT.
25 AND I THINK IT WOULD BE HELPFUL TO HAVE



1 THAT INFORMATION TO COMPARE WHAT IT IS BECAUSE THIS HAS
2 BEEN OPERATING FOR SOME, YOU KNOW, 40 OR 50 YEARS. IT
3 IS PRIME SALMON SPAWNING GROUNDS. THERE'S NO QUESTION
4 ABOUT IT, BUT IT ALSO HAS BEEN ONE OF THE PRIME FISHING
5 SPOTS FOR 40 OR 50 YEARS AS WELL. AND I THINK THAT IN
6 SOME CASES, YOU KNOW, THAT THE TYPES OF REMEDIATION MAY
7 ACTUALLY HINDER. I THINK I'M JUST TRYING TO LOOK FOR
8 ALONG THE LINES OF WHAT WE HAVE. AND I THINK, YOU
9 KNOW, THAT'S WHAT I'M TRYING TO GET AT. I NEED TO HAVE
10 MORE INFORMATION BEFORE I MAKE MY DECISIONS. HOWEVER
11 THAT HAPPENS TO COME ABOUT, I THINK THAT WOULD BE
12 HELPFUL.

13 MS. ROUCH: MAY I MENTION SOMETHING ABOUT THE
14 WATER BOARD? BEFORE WE TAKE ANY PROJECT TO THE BOARD,
15 WE HAVE ALREADY BEEN IN CONTACT WITH THE WATER BOARD.
16 THEY KNOW WHAT WE'RE PROPOSING TO DO. AND IF THEY WERE
17 AGAINST IT, WE WOULD NOT BE BRINGING IT TO THE BOARD,
18 SO WE HAVE THEIR CONCURRENCE AT THE POINT WHERE WE'RE
19 BRINGING IT TO THE BOARD FOR CONSIDERATION.
20 BEFORE WE COULD DO ANY PROJECT SUCH AS
21 THIS, WE WILL HAVE GOTTEN ALL THE LOCAL PERMITS THAT
22 ARE REQUIRED. IF IT'S AN ARMY CORPS PERMIT, IF IT'S A
23 FISH AND GAME PERMIT, FISH AND WILDLIFE PERMIT, WATER
24 BOARD PERMITS, ALL THOSE PERMITS WILL BE IN PLACE
25 BEFORE WE DO THE -- BEFORE WE BRING THE EQUIPMENT ON



1 THE PROJECT.

2 BOARD MEMBER EATON: BEFORE THE CONTRACT IS
3 SIGNED OR BEFORE WE ENCUMBER THE FUNDS?

4 MS. ROUCH: IF WE FEEL CONFIDENT ENOUGH
5 THAT -- WE'VE ALREADY TALKED TO ALL OF THESE FOLKS. IF
6 WE FEEL WE'RE GOING TO GET THE PERMITS FROM THEM, WE
7 WILL BRING IT TO THE BOARD. SO WE MAY NOT HAVE THE
8 PERMITS IN HAND TODAY, BUT WE ARE CONFIDENT WE WILL BE
9 GETTING THEM BEFORE WE DO THE PROJECT. THERE WILL BE
10 NO OPPOSITION IS WHAT I'M TRYING TO SAY. AND WE DO
11 CEQA --

12 BOARD MEMBER EATON: IF WE DON'T GET THE
13 PERMITS, WHAT HAPPENS THEN?

14 MS. ROUCH: WE WOULD COME BACK TO YOU AND TELL
15 YOU THAT WE DIDN'T GET THE PERMIT AND THE PROJECT
16 WOULDN'T GO.

17 BOARD MEMBER EATON: AND THE FUNDS THEN BECOME
18 AVAILABLE AGAIN?

19 MS. ROUCH: YES. IN THIS CASE THE FUNDS ARE
20 IN ONE OF OUR CONTRACTS. SO THEY ARE SITTING THERE.
21 THEY WILL NOT BE LOST; AND IF THEY AREN'T USED, THEY
22 WILL BE AVAILABLE FOR SOMETHING ELSE.

23 BOARD MEMBER EATON: BECAUSE I WAS A LITTLE
24 CONCERNED BECAUSE I WAS JUST KIND OF SURFING ON THE
25 NET, AND I NOTICED THAT WITH REGARD TO OUR OWN WEB



1 SITE, THAT AT LEAST THE FUNDS FOR THIS PROGRAM, AND I
2 THINK '96-'97, THAT FUNDS WERE AWARDED, BUT OUR
3 DATABASE SAYS THAT NO CONTRACTS HAVE BEEN SIGNED. I
4 JUST WAS WONDERING IS THAT AN ACCURATE DESCRIPTION?
5 MS. ROUGH: I'M NOT SURE OF HOW ACCURATE THAT
6 IS, BUT THE ACCURATE INFORMATION IS LAST JULY I CAME TO
7 THE BOARD AND I ASKED FOR \$2 MILLION OUT OF THE 5
8 MILLION TO BE SET ASIDE IN THE GRANTS AND LOANS FUNDING
9 MECHANISM, AND THAT IS SET ASIDE AND WE HAVE USED UP
10 1.3 MILLION OF THAT MONEY, AND THERE'S 970,000 LEFT,
11 WHICH I WILL DEAL WITH NEXT MONTH WITH THE BOARD. AND
12 THE 300,000 GOES TO ADMINISTRATION OF THE PROGRAM, AND
13 THE REST OF THE MONEY, 2 MILLION SOMETHING, WAS
14 REQUESTED TO PUT INTO BARD CONTRACTS. SO THAT MONEY
15 HAD ALREADY BEEN ENCUMBERED INTO EXISTING CONTRACTS.
16 SO THE ONLY -- WE HAVE MONEY IN OUR
17 CONTRACTS AVAILABLE FOR PROJECTS AT THIS TIME, NOT A
18 LOT, BUT THERE IS SOME, AND THEN THE ONLY MONEY THAT IS
19 NOT ENCUMBERED AND HAD NOTHING EARMARKED FOR IT IS THE
20 \$970,000 THAT WE HAD SET ASIDE FOR LEA GRANTS, MATCHING
21 GRANTS, AND LOANS.

22 BOARD MEMBER EATON: I DON'T WANT TO GET
23 LEGAL, BUT HAVE THE CONTRACTS BEEN EXECUTED ON THAT
24 PAST MONEY?

25 MS. ROUGH: YES. YES.



1 BOARD MEMBER EATON: SO THE WEB SITE IS
2 INCORRECT?

3 MS. ROUCH: IT MUST BE, AND I WILL CHECK ON
4 THAT.

5 MS. RICE: THE WEB SITE MAY HAVE BEEN
6 REFERRING TO, WE DO HAVE AN ITEM COMING FORWARD NEXT
7 MONTH TO AWARD NEW CONTRACTS UNDER THIS PROGRAM. SO IT
8 MAY HAVE BEEN REFERRING TO THAT NEW CONTRACTING, BUT
9 WE'LL HAVE TO LOOK AT IT AND SEE IF IT'S UNCLEAR OR
10 WHAT IT IS.

11 BOARD MEMBER EATON: YEAH, BECAUSE THERE'S THE
12 TWO PREVIOUS AS WELL. ONE HAS THE ACTUAL AWARDING OF
13 THE CONTRACTS, THE SUMMARY OF THE PROJECT, ALL OF THOSE
14 KINDS OF THINGS.

15 CHAIRMAN PENNINGTON: MR. EATON, IF YOU HAVE
16 NO OBJECTION, I'D LIKE TO MOVE THIS ITEM TO NEXT BOARD
17 MEETING.

18 BOARD MEMBER EATON: MY ORIGINAL SUGGESTION.

19 CHAIRMAN PENNINGTON: I UNDERSTAND THAT. DO
20 WE HAVE TIME TO SEND IT BACK THROUGH COMMITTEE?

21 MS. RICE: I BELIEVE THERE IS TIME TO GO BACK
22 TO P&E.

23 CHAIRMAN PENNINGTON: LET'S SEND IT BACK
24 THROUGH COMMITTEE AND MAKE SURE THAT STAFF GETS
25 TOGETHER WITH YOU AND RESOLVES YOUR DIFFICULTIES. AND



1 MAYBE WE CAN HAVE SOME FURTHER DISCUSSION DURING THE
2 NEXT 30 DAYS.

3 BOARD MEMBER JONES: MR. CHAIRMAN, I
4 APPRECIATE THE DISCUSSION. I MEAN I THOUGHT THIS WAS
5 GOOD. I THOUGHT SOME OF THE ISSUES THAT CAME UP WERE
6 DEAD ON. ONE OF THE THINGS, THOUGH, YOU KNOW, LIKE
7 WHEN MR. EATON BROUGHT UP ABOUT THE WATER BOARD-TYPE
8 THINGS AND WE TURN THAT TO WE'RE GOING TO GET ALL THE
9 PERMITS, I THINK MAYBE SOME DIRECTION WOULD BE IF THE
10 WATER BOARD HAD A CONCERN AND IT WOULD HELP BEEF UP
11 YOUR CASE ON ONE OF THESE THINGS, INCLUDE THAT IN THE
12 REPORT, THAT THE WATER BOARD SEES THIS AS A POTENTIAL
13 PROBLEM, SO THE BOARD MEMBERS HAVE ANOTHER AGENCY --
14 YOU KNOW, YOU DON'T HAVE TO GET IT ON ALL OF THEM, BUT
15 I THINK WHERE MR. -- I THINK THAT WAS SOME OF WHAT MR.
16 EATON WAS TALKING ABOUT, AND I DON'T THINK WE GOT IT.

17 MS. RICE: HISTORICALLY ON THIS PROGRAM THE
18 REGIONAL BOARDS ARE THRILLED THAT THE PROGRAM EXISTS.
19 IT IS AN AVENUE TO TAKE CARE OF PROBLEMS THAT THEY ARE
20 OFTEN THE AGENCY TO IDENTIFY, AND THEY DON'T HAVE A
21 FUNDING PROGRAM LIKE THIS. SO WE WORK VERY CLOSELY
22 WITH THEM IN TERMS OF WHAT ARE IMPORTANT PROJECTS TO DO
23 AND HAVE THEIR FULL SUPPORT.

24 CHAIRMAN PENNINGTON: TIME OUT. FIVE MINUTES.
25 (RECESS TAKEN.)



1 CHAIRMAN PENNINGTON: OKAY. ITEM NO. 8 IS THE
2 NEXT ON THE AGENDA. THAT'S THE ITEM THAT I ASKED THAT
3 WE POSTPONE FROM THE ADMIN COMMITTEE UNTIL NEXT BOARD
4 MEETING. AND WITHOUT OBJECTION, WE'LL DO THAT.

5 BOARD MEMBER CHESBRO: I DO HAVE ONE, MR.
6 CHAIRMAN.

7 CHAIRMAN PENNINGTON: SURE.

8 BOARD MEMBER CHESBRO: ONE THING, I AGREE WITH
9 CONTINUING IT, BUT I WOULD LIKE TO CONTINUE IT WITH
10 SOME DIRECTION. I CONTINUE TO BE CONCERNED THAT THIS
11 NOT BE PUT IN THE FORM OF A - - ESSENTIALLY A
12 PROMOTIONAL VIDEO FOR TIRE-DERIVED FUEL. AND THE
13 PROBLEM I HAVE -- I'M GOING TO BRING THIS UP WITH
14 REGARDS TO THE OTHER CONTRACTS THAT WE'RE DISCUSSING
15 TODAY.

16 IN LIGHT OF THE CHANGES IN THE WAY THE
17 ADVISORS ARE FUNCTIONING BECAUSE OF THE LEGAL OPINIONS
18 WE'VE HAD, OUR ABILITY TO HAVE SOMEONE REPRESENTING US
19 REVIEW SCOPES OF WORK HAS BEEN SEVERELY ERODED, WHICH
20 IN TURN PUTS US IN A POSITION WHERE I THINK THE BOARD
21 IS GOING TO HAVE TO BE MORE INVOLVED IN ACTUALLY
22 SEEING, EITHER AT COMMITTEE OR BOARD LEVEL OR BOTH,
23 SEEING THE SCOPES OF WORK BROUGHT BACK IN ORDER FOR US
24 TO HAVE THAT INPUT AND MAKE SURE THAT WHAT THE BOARD
25 INTENDED WITH THE CONTRACT, IN FACT, IS BEING CARRIED



1 OUT.

2 SO I WOULD LIKE NOT ONLY TO CONTINUE IT,
3 BUT TO CONTINUE IT WITH SOME DIRECTION TO BRING BACK A
4 MUCH MORE DETAILED DESCRIPTION, INCLUDING, I WOULD
5 HOPE, SPEAKING AS ONE BOARD MEMBER ANYWAY, INCLUDING
6 CLARITY THAT WE'RE NOT GOING TO BE, GIVEN THE NEUTRAL
7 STANCE THAT WE'VE TAKEN ON TIRE-DERIVED FUEL, THAT IT
8 NOT BE VIEWED AS SOMEHOW A PROMOTIONAL VIDEO ON
9 TIRE-DERIVED FUEL.

10 CHAIRMAN PENNINGTON: I HAVE NO PROBLEM WITH
11 THAT. I DON'T THINK THAT THE BOARD'S INTENT WAS EVER
12 TO HAVE THIS BE A PROMOTIONAL PIECE FOR THEM, BUT A
13 FACTUAL PIECE, SO I WOULD NOT HAVE A PROBLEM WITH THAT.

14 MS. TRGOVCICH: IF I COULD JUST ASK FOR SOME
15 CLARITY AROUND MEMBER CHESBRO'S DIRECTION. I THINK
16 THAT THE CONCEPT ITSELF, IT WAS TIRE-DERIVED FUEL PLUS
17 CRUMB RUBBER AND MOLDED RUBBER PRODUCTS. I THINK THE
18 TITLE MAY JUST SAY CRUMB RUBBER, BUT I THINK IT WAS
19 INTENDED TO COVER ALL BENEFICIAL USES.

20 THE CLARITY THAT I'M SEEKING IS THE
21 APPROACH THAT WE TOOK WITH THIS ONE WAS TO BE ABLE TO
22 OBTAIN A VENDOR THAT HAD THE EXPERTISE TO WORK WITH THE
23 BOARD ON SPECIFICALLY DEFINING WHAT THE SCOPE OF THE
24 PROJECT WOULD BE. ONE OF THE FIRST STEPS, AS WAS LAID
25 OUT IN A MEETING WITH ONE OF THE MEMBERS EARLIER THIS



1 WEEK OR LATE LAST WEEK, WAS THAT THEY WOULD COME IN AND
2 WORK WITH THE BOARD TO IDENTIFY TARGET AUDIENCES AND
3 KEY MESSAGES AND THEN MAKE RECOMMENDATIONS ABOUT THE
4 BEST APPROACH TO GET THERE.
5 A VIDEO IS SOMETHING WE WOULD ALL LIKE TO
6 SEE; BUT PERHAPS, BASED ON THEIR EXPERT ANALYSIS, IT
7 MAY BE SOMETHING ELSE. SO THE DETAILED SCOPE OF WORK
8 THAT YOU ARE REQUESTING, MEMBER CHESBRO, I AM SEEKING
9 CLARITY AROUND WHAT YOU ARE LOOKING FOR SINCE THE SCOPE
10 OF WORK RIGHT NOW IS THE GENERAL SCOPE THAT WOULD HAVE
11 THE EXPERTS COME IN AND WORK WITH US ON DETERMINING
12 WHERE WE GO, WHAT IS THE KEY TARGET AUDIENCE WE WANT TO
13 REACH, ETC.
14 SO ARE YOU LOOKING FOR THAT GREATER
15 DEFINITION AROUND WHAT THE PROJECT WOULD ACTUALLY BE
16 BECAUSE THAT WASN'T THE APPROACH THAT WE TOOK IN
17 SOLICITING THE BIDS FOR THIS PROJECT?

18 BOARD MEMBER CHESBRO: KIND OF SEEMS LIKE THE
19 CART IN FRONT OF THE HORSE TO ME BECAUSE I HAVE SOME
20 CONCERNS ABOUT WHAT THE CONTENT IS GOING TO BE, BUT I'M
21 BEING ASKED ESSENTIALLY TO SORT OF HAVE FAITH THAT
22 WE'LL SELECT A CONTRACTOR AND THEN LATER DETERMINE
23 WHETHER OR NOT MY CONCERNS HAVE BEEN MET. THAT'S THE
24 FEAR THAT I HAVE.

25 MS. TRGOVCICH: WE COULD CERTAINLY DEVELOP A



1 PROCESS, BE IT COMING BEFORE ONE OF THE BOARD'S
2 COMMITTEES OR SOME OTHER AVENUE THAT YOU WOULD LIKE TO
3 SEE, THAT WOULD ENSURE THAT INPUT AT KEY POINTS. WE
4 CAN WORK INTO THE CONTRACTUAL AGREEMENT ITSELF KEY
5 BOARD APPROVAL POINTS WHERE WHEN THE TARGET AUDIENCES
6 HAVE BEEN EVALUATED AND KEY MESSAGES, THAT THE
7 CONTRACTOR WOULD COME BEFORE COMMITTEE AND BOARD AND
8 MAKE THEIR RECOMMENDATIONS ON HOW TO PROCEED, AND THE
9 MEMBERS COULD PROVIDE DIRECTION. THOSE ARE SOME OF THE
10 ELEMENTS WE COULD WORK IN.

11 BOARD MEMBER CHESBRO: TWO THINGS I WOULD LIKE
12 TO HAVE INCORPORATED NEXT MONTH WHEN THIS IS BROUGHT
13 BACK IS, ONE, A SPECIFIC BOARD APPROVAL PROCESS FOR THE
14 SCOPE; AND, SECONDLY, SOME LANGUAGE THAT INDICATES THAT
15 IT'S NOT INTENDED TO BE A PROMOTIONAL TIRE-DERIVED
16 FUEL.

17 MS. TRGOVCICH: BUT THE -- IT WOULD BE
18 SUFFICIENT FOR YOU FOR THE LANGUAGE TO BE THAT IT WAS
19 INTENDED TO LOOK AT ALL BENEFICIAL USES FOR TIRES?
20 THAT'S WHAT THE INTENT IS CURRENTLY.

21 BOARD MEMBER CHESBRO: FROM AN INFORMATIONAL
22 STANDPOINT, AS THE CHAIRMAN SAID, YES, I MEAN AS
23 OPPOSED TO -- YOU KNOW, GOING BACK TO THIS WHOLE
24 DIFFICULT POLICY DISCUSSION THAT THE BOARD HAD WITH
25 SEVERAL GROUPS, YOU KNOW, I THINK IT'S VERY IMPORTANT



1 FOR US TO FOCUS ON THE FACTUAL BASIS AS OPPOSED TO THE
2 PROMOTIONAL OR ANY INDIVIDUAL ALTERNATIVE.

3 BOARD MEMBER JONES: I THINK THAT THE ORIGINAL
4 MOTION WAS TO INCLUDE, YOU KNOW, TDF, CRUMB RUBBER, AND
5 THE MATS AS AN INFORMATIONAL SOURCE, NOT AS
6 PROMOTIONAL. SO I WOULD ENDORSE WHAT YOU ARE SAYING
7 BECAUSE THAT WAS WHAT THE INTENT OF THE ORIGINAL
8 ALLOCATION WAS.

9 MS. TRGOVCICH: SO I'M PUSHING ON THIS CLARITY
10 POINT JUST ONCE MORE. IN TERMS OF THE MORE DETAILED
11 SCOPE, THE SCOPE AS IT'S PRESENTLY LAID OUT AND WAS
12 WHAT THE BIDS WERE RECEIVED ON WAS THE MORE GENERAL FEE
13 FOR SERVICE APPROACH WHERE WE WOULD SIGN A CONTRACT
14 WITH A VENDOR, AND THEY WOULD COME IN AND THEN BEGIN TO
15 WORK WITH US ON IDENTIFYING TARGET AUDIENCE AND KEY
16 MESSAGES AND THEN MAKING A PROPOSAL ON HOW TO GET THE
17 EDUCATIONAL INFORMATION OUT BASED ON THAT. THAT'S WHAT
18 CURRENTLY EXISTS. AND I'M JUST SEEKING CLARITY OR, IF
19 YOU WOULD LIKE, I CAN MEET WITH MEMBER CHESBRO AND
20 PROVIDE HIM ADDITIONAL INFORMATION.

21 CHAIRMAN PENNINGTON: I THINK THAT IT'S
22 IMPORTANT THAT WE GET SOMEBODY WORKING ON IT SO THAT,
23 IF I HEAR YOU RIGHT, YOU ARE SAYING WE NEED TO PICK
24 SOMEBODY WHO HAS BID, AND THEN THE NEXT STEP IS TO
25 IDENTIFY WHAT DIRECTION WE WANT TO GO. AND I THINK



1 THAT'S MR. CHESBRO'S CONCERN, THAT WE DON'T WANT -- I
2 THINK IT'S FINE THAT WE GO AHEAD AND PICK SOMEBODY, BUT
3 WE WANT TO MAKE SURE THAT WE'RE FACTUAL AND WE'RE
4 EDUCATIONAL. AND I REALIZE THAT THAT'S A SUBJECTIVE
5 AREA WHEN WE TALK IN TERMS OF WE DON'T WANT TO BE A
6 PROMOTIONAL PIECE FOR THESE PEOPLE.
7 SOME PEOPLE MAY INTERPRET JUST THE FACT
8 THAT WE PUT A PIECE OF PAPER OUT AS BEING A PROMOTIONAL
9 THING AND OTHERS MIGHT NOT. BUT I THINK WE WANT TO
10 WALK THAT LINE AS TIGHTLY AS WE CAN, BUT I DON'T THINK
11 YOU WOULD OBJECT TO US GOING FORWARD AND PICKING A
12 CONTRACTOR TO WORK WITH.

13 BOARD MEMBER CHESBRO: AS LONG AS WE HAVE
14 CLARITY ABOUT THAT UP FRONT, THAT THAT'S THE INTENT,
15 AND THAT THERE'S A BOARD APPROVAL PROCESS FOR THE SCOPE
16 OF WORK, THEN THAT SATISFIES MY CONCERNS.

17 MR. CHANDLER: I WANT TO SPEAK TO THIS BOARD
18 APPROVAL PROCESS FOR THE SCOPE BECAUSE I THOUGHT SUSAN
19 WESTLAKE HAD VERY CLEARLY ARTICULATED WHAT THE PROCESS
20 WAS GOING TO BE THROUGH YOUR OFFICE, MR. CHAIRMAN, ON
21 GETTING THESE SCOPES OF WORK REVIEWED BY THE INDIVIDUAL
22 BOARD MEMBER'S OFFICES AND IN TO HER IN A COORDINATING
23 CAPACITY. SO MAYBE WE NEED TO DISCUSS THAT, BUT I
24 THOUGHT WE HAD A --

25 BOARD MEMBER CHESBRO: WELL, WE'VE BEEN TOLD



1 THAT OUR ADVISORS CAN'T TALK TO EACH OTHER ANYMORE
2 ABOUT THESE THINGS AND THAT THEIR ABILITIES TO DISCUSS
3 THEM WITH STAFF ON OUR BEHALF HAS BEEN SEVERELY LIMITED
4 BY A LEGAL OPINION. AND SO I JUST THINK THAT WE'RE
5 EXTREMELY CONSTRAINED NOW IN TERMS OF OUR OFFICES'
6 ABILITY TO COMMUNICATE WITH EACH OTHER.

7 CHAIRMAN PENNINGTON: THERE WAS A PROCESS LAID
8 OUT, MR. CHANDLER SAYS, THAT WAS GIVEN TO EACH OF THE
9 ADVISORS, AND I THINK THAT IF THAT IS FOLLOWED --

10 BOARD MEMBER CHESBRO: SERIAL MEETING TO
11 DISCUSS -- BETWEEN THE ADVISORS TO DISCUSS WHETHER THAT
12 PROCESS WAS - -

13 CHAIRMAN PENNINGTON: THAT'S LIKE ASKING ME
14 WHEN I STOP BEATING MY WIFE.

15 BOARD MEMBER CHESBRO: I MEAN THIS WHOLE --
16 OBVIOUSLY I OBJECT TO THE IDEA THAT THE ADVISORS CANNOT
17 FUNCTION IN THE WAY THEY HAVE IN THE PAST.

18 CHAIRMAN PENNINGTON: I UNDERSTAND THAT.
19 WE'VE HAD THREE ATTORNEYS LOOK AT IT.

20 BOARD MEMBER CHESBRO: I JUST WONDER WHETHER
21 THE BOARD WILL BE ABLE TO FUNCTION IN ITS DELIBERATIVE
22 CAPACITY. IF WE CAN'T DO IT THROUGH THE ADVISORS, THEN
23 WE HAVE TO DO IT THROUGH A MEETING.

24 CHAIRMAN PENNINGTON: I THINK THERE IS A
25 PROCESS THAT HAS BEEN LAID OUT FOR THEM TO LOOK AT THE



1 SCOPE OF WORK AND MAKE THEIR COMMENTS TO MS. WESTLAKE
2 AND, THEREFORE --

3 BOARD MEMBER CHESBRO: WHO HAS THE
4 DECISION-MAKING SIGN-OFF ON THE SCOPE AFTER THAT'S BEEN
5 DONE?

6 MR. CHANDLER: I THOUGHT YOUR COMMENTS WERE,
7 AND I THINK SUSAN HAS ALWAYS MADE IT CLEAR THAT HER
8 INTEREST AND ALL OF YOUR INTEREST WAS TO MAKE SURE THAT
9 THE SCOPE OF WORK WAS CONSISTENT WITH THE BOARD'S
10 DIRECTION, THAT THE SCOPE OF WORK DID NOT END UP BEING
11 SOMETHING DIFFERENT THAN WHAT YOU HAD ALL ASKED FOR.
12 SO WITH THAT CRITERIA OR WITH THAT REVIEW, THE QUESTION
13 IS HAS THE SCOPE OF WORK AS DRAFTED ALIGNED ITSELF WITH
14 THE ORIGINAL BOARD DIRECTION?

15 BOARD MEMBER CHESBRO: LET'S FOCUS BACK ON
16 THIS PARTICULAR ONE WHERE WE'RE BEING TOLD THAT WE'RE
17 GOING TO LET A CONTRACT WITHOUT A SCOPE OF WORK, AND
18 THEN WE'RE GOING -- THAT CONTRACT IS GOING TO DEVELOP
19 THE SCOPE OF WORK, WHICH AS PART OF THE PROCESS, WHICH
20 ADDS EVEN MORE QUESTION TO WHAT IT IS THAT WE'RE
21 APPROVING AND HOW WE'RE GOING TO DETERMINE WHAT THE
22 CONTRACT'S GOING TO ACHIEVE.

23 CHAIRMAN PENNINGTON: I DON'T THINK IT'S BEING
24 SENT OUT WITHOUT A SCOPE OF WORK. THERE IS A SCOPE OF
25 WORK, TO FIND A CONTRACTOR --



1 BOARD MEMBER CHESBRO: I JUST GOT TOLD THE
2 CONTRACTOR IS GOING TO DEVELOP THAT.

3 MS. TRGOVCICH: I BELIEVE THAT I'VE CREATED
4 SOME CONFUSION HERE, AND LET ME TAKE A CHANCE TO
5 CLARIFY IT. THERE IS A SCOPE OF WORK WHICH THE VENDORS
6 BIDDED ON, PROVIDED PROPOSALS ON, THAT IS GENERAL AS IT
7 RELATES TO THE SERVICES THAT WE WOULD BE REQUESTING
8 UNDER THIS CONTRACT. IT GENERALLY SEEKS VENDORS THAT
9 HAVE THE CAPABILITY TO PROVIDE PRODUCTION SERVICES FOR
10 VIDEOS, TO PROVIDE CREATIVE SERVICES FOR RESEARCHING
11 TOPICS, SURVEYING SERVICES TO BE ABLE TO GO OUT AND
12 SOLICIT PUBLIC INPUT, A VARIETY OF SERVICES.
13 THE SPECIFIC DIRECTION OF THE PROJECT,
14 AND WE CAN CERTAINLY INCLUDE THIS AS AN ITEM IN THE
15 BOARD APPROVAL NEXT MONTH, WILL BE TO COME UP WITH THE
16 APPROACH THAT THE PROJECT'S GOING TO TAKE, TO IDENTIFY
17 THE TARGET AUDIENCE, IDENTIFY THE KEY MESSAGES, AND THE
18 APPROPRIATE VEHICLE TO DELIVER THOSE EDUCATIONAL
19 MESSAGES. THAT'S WHAT WILL BE DEVELOPED.
20 THERE IS A SCOPE OF WORK AND THAT'S WHAT
21 WAS BID ON. IT'S VERY BRIEF BECAUSE IT WAS SEEKING
22 QUALIFIED BIDDERS THAT COULD PROVIDE THE SERVICES THAT
23 WE WERE REQUESTING. THERE WAS NOT A SCOPE OF WORK
24 WHICH REQUESTED A SPECIFIC PROPOSAL ON HOW TO PROVIDE
25 THE SERVICES. WE DID NOT SEEK PROPOSALS ON THE CONTENT



1 OF A VIDEO OR THE CONTENT OF A BROCHURE. WE SOUGHT
2 PROPOSALS IN WHAT THE SCOPE OF WORK IS ON VENDORS THAT
3 CAN PROVIDE THOSE TYPES OF SERVICES. SO I BELIEVE I'VE
4 LED TO A LOT OF THE CONFUSION HERE.

5 THERE IS A SCOPE OF WORK, BUT THE PROJECT
6 DEFINITION WILL TAKE PLACE THROUGH THE VENDOR'S
7 GUIDANCE AND FACILITATION.

8 BOARD MEMBER CHESBRO: THIS SCOPE OF WORK
9 THAT'S BEFORE US REALLY ADDRESSES A VIDEO, BUT YOU'VE
10 TOLD US THAT IT MIGHT NOT BE A VIDEO, WHICH PUTS MORE
11 EMPHASIS ON THE SCOPE OF WORK THAT THE CONTRACTOR IS
12 GOING TO DEVELOP IN TERMS OF WHAT THE PROJECT ACTUALLY
13 IS.

14 MS. TRGOVCICH: THE REASON WHY WE INCLUDED
15 VIDEO AS A KEY ELEMENT OF THE SCOPE OF WORK WAS BECAUSE
16 THAT WAS THE BOARD CONCEPT THAT WAS APPROVED, AND SO WE
17 WANTED TO ADHERE TO THE CONCEPT, WHICH IS WHAT MR.
18 CHANDLER JUST REFERRED TO, TO MAKE SURE WE WERE
19 CONSISTENT WITH BOARD DIRECTION. WHAT WE HEARD IN A
20 MEETING WITH MEMBER EATON AND ONE OF THE PROPOSED
21 VENDORS WAS THAT WHAT THEY WOULD LIKE TO BRING TO THE
22 TABLE TO THE BOARD ARE POTENTIALLY SOME ALTERNATIVES
23 WHICH MAY REQUIRE A SLIGHT MODIFICATION TO THE CONTRACT
24 AT A LATER DATE. THEY DON'T WANT THE BOARD TO LOCK
25 ITSELF INTO A VIDEO SO THAT WHEN THEY DO THEIR



1 RESEARCH, IF THEY COME UP WITH A BETTER ALTERNATIVE,
2 THEY WOULDN'T HAVE THE OPTION TO EXPLORE THAT WITH YOU.
3 BOARD MEMBER EATON: MR. CHAIR, I THINK THAT
4 THAT KIND OF SETS THE POINT RIGHT THERE AND FRAMES THE
5 ISSUE REALLY, I THINK, WELL FOR ME. AS A NEW MEMBER,
6 WASN'T AWARE OF -- YOU KNOW, AND IT'S NO FAULT OF
7 ANYONE ON STAFF OR THE BOARD FOR MS. WESTLAKE'S
8 PROCESS. BUT I UNDERSTAND THAT IF WE SUBMIT QUESTIONS
9 TO HER, THEN SHE SORT OF COMPILES THEM AND THEN GETS
10 THEM BACK TO THE APPROPRIATE INDIVIDUALS.
11 BUT THE ULTIMATE QUESTION THAT WAS ASKED
12 IS THEN WHAT IF THERE IS ANY CHANGES, AS WE DISCUSSED
13 WITH THE VENDOR, THEN WHO MAKES THE DECISION ON THE
14 FINAL SCOPE OF WORK? I THINK THAT'S THE POINT. AND
15 SHOULDN'T THOSE SCOPES OF WORK COME BACK HERE GIVEN THE
16 CONSTRAINTS WE HAVE UNDER THE CURRENT LEGAL OPINIONS?
17 AND I THINK THAT THAT'S WHERE THE ISSUE
18 HAS TO BE FRAMED BECAUSE IF THERE ARE CHANGES, AND
19 THERE CAN BE CHANGES AND THERE WILL BE CHANGES BECAUSE
20 THEY ARE VERY FLUID AS WE FIND OUT THINGS THROUGH
21 RESEARCH AND OTHER KINDS OF THINGS, THAT THEY AT LEAST
22 HAVE TO COME BACK HERE. AND I DON'T KNOW WHERE THEY GO
23 AFTER WE SUBMIT THE QUESTIONS, BUT WHERE IS THAT INPUT
24 THEN - - WHO DECIDES WHETHER TO TAKE THAT RECOMMENDATION
25 OR THAT INPUT BY A BOARD MEMBER THROUGH THEIR ADVISOR



1 SUBMITTING THE QUESTION AND WHERE DOES THAT COME BACK
2 TO?

3 CHAIRMAN PENNINGTON: IT SEEMS TO ME THAT THE
4 POINT HERE IS IS THAT WE'RE TRYING TO MAKE SURE THAT
5 THE SCOPE OF WORK IS IN CONCERT WITH WHAT THE BOARD'S
6 INITIAL DIRECTION WAS. WHEN IT COMES TO THE FINAL WORK
7 PRODUCT, THEN IT SEEMS TO ME THAT THE FINAL WORK
8 PRODUCT WILL BE APPROVED BY THE BOARD, THAT WE'RE NOT
9 GOING TO PAY FOR A VIDEO THAT ISN'T APPROVED BY THE
10 BOARD. IT SEEMS PRETTY SIMPLE TO ME.

11 BOARD MEMBER EATON: I THINK THAT'S VERY CLEAR
12 WITH THAT STATEMENT.

13 CHAIRMAN PENNINGTON: SEEMS LIKE WE'RE TRYING
14 TO BUILD A CAMEL HERE.

15 BOARD MEMBER CHESBRO: THE QUESTION IS REALLY
16 ONE OF WHAT IS THE CONTENT OF THE SCOPE OF WORK THAT
17 WE'RE GOING TO PROCEED WITH? AND WHEN WE'RE PRESENTED
18 WITH, AS WE ARE HERE, AND I THINK WE HAVE BEEN AND WE
19 WILL BE IN THE FUTURE, VERY, VERY GENERAL CONCEPTS
20 THAT, YOU KNOW, ARE VERY EASY TO SAY YES TO, WE NEED TO
21 EDUCATE PEOPLE ABOUT A GENERAL SUBJECT. WE HAD IN
22 PLACE A PROCESS PREVIOUSLY AT THE ADVISOR LEVEL WHERE
23 BOARD OFFICES WERE ABLE TO WORK TOGETHER THROUGH THE
24 ADVISORS TO WORK ON THIS SCOPE OF WORK. WE'VE NOW BEEN
25 SEVERELY RESTRICTED BY LEGAL OPINIONS ABOUT HOW THAT



1 CAN BE DONE.
2 AND AS A BOARD MEMBER, I'M VERY CONCERNED
3 ABOUT VAGUE, OPEN-ENDED APPROVALS THAT THEN I JUST LET
4 GO OF AND COMPLETELY DELEGATE TO THE STAFF. I NEED TO
5 KNOW IN GREATER DETAIL HOW THAT CONTRACT IS GOING TO BE
6 CARRIED OUT. AND, IN FACT, IN THE SPIRIT OF THE LEGAL
7 OPINIONS WE'VE GOTTEN, I THINK THAT, YOU KNOW, PUBLIC
8 DISCUSSION AND DECISION-MAKING PROCESS IS GOING TO BE
9 NECESSARY.
10 SO THAT MAY BE ANOTHER AGENDA ITEM THAT
11 WE HAVE TO HAVE TO DISCUSS HOW THAT'S GOING TO BE DONE,
12 BUT I THINK WE'VE HAD A "C" CHANGE HERE. I DON'T THINK
13 THE PROCESS WORKS THE WAY IT HAS FOR EIGHT YEARS
14 ANYMORE, AND SO THAT RAISES REAL QUESTIONS ABOUT, GEE,
15 THEN DOES THE -- IS THE DELEGATION TO STAFF OF
16 DEVELOPMENT OF SCOPES OF WORK ADEQUATELY OVERSEEN BY
17 THE BOARD IN THE ABSENCE OF THE ABILITY OF THE ADVISORS
18 TO MEET AND DISCUSS THESE THINGS? SO I THINK WE HAVE
19 TO PULL THIS STUFF BACK UP TO THE BOARD DECISION-MAKING
20 LEVEL.
21 CHAIRMAN PENNINGTON: I'M AS CONCERNED ABOUT
22 NOT ACCOMPLISHING THE GOALS OF THE BOARD AS YOU ARE IN
23 TERMS OF IF WE WANT TO HAVE A PRODUCT THAT IS A PRODUCT
24 THAT WE ALL AGREE TO. AND I'M SORRY THAT THE LEGAL
25 OPINION HAS RESTRICTED US, BUT IT HAS.



1 BUT IN TERMS OF THIS PARTICULAR PROJECT,
2 I THINK ALL THE STAFF IS ASKING TO DO IS TO PICK A
3 CONTRACTOR TO WORK WITH, AND THAT DOESN'T SEEM LIKE
4 THAT'S AN UNREASONABLE THING. IT'S LIKE PICKING AN AD
5 AGENCY. YOU DON'T SEE THE AD FIRST AND THEN DECIDE
6 THAT THAT'S THE AD AGENCY YOU WANT. USUALLY THEY COME
7 IN, THEY PRESENT THEIR CREATIVE ABILITIES, THEY PRESENT
8 THEIR COSTS, THEY PRESENT SOME OF THOSE THINGS, THEN
9 YOU WORK OUT THE AD CAMPAIGN FROM THAT. AND I THINK
10 THAT'S --

11 BOARD MEMBER CHESBRO: AND I'M WILLING TO
12 OVERCOME MY DOUBTS ABOUT THAT IF I GET REASSURANCE THAT
13 ONCE THE CONTRACTOR COMES UP WITH THE SCOPE OF WORK,
14 IT'S GOING TO BE BROUGHT BACK TO THE BOARD OF HOW WE'RE
15 GOING TO CARRY OUT THE PROJECT.

16 MS. TRGOVCICH: WE CAN CERTAINLY -- I WILL
17 COMMIT TO YOU THAT WE WILL -- AND WE CAN THROUGH THE
18 ITEM NEXT MONTH BUILD THAT INTO YOUR APPROVAL
19 PROCESS - - THAT THERE WILL BE THE KEY DECISION POINTS
20 THAT WILL COME FORWARD. WE CAN IDENTIFY A KEY DECISION
21 POINT BEING THE SELECTION OF THE TARGET AUDIENCE AND
22 KEY MESSAGES AS WELL AS THE MEDIA APPROACH TO REACH IT,
23 AND WE CAN HAVE ANOTHER KEY DECISION POINT BE THEN THE
24 CONTENT OF THAT ACTUAL APPROACH.

25 BOARD MEMBER JONES: MR. CHAIRMAN.



1 CHAIRMAN PENNINGTON: MR. FRAZEE.

2 BOARD MEMBER FRAZEE: AS LONG AS THIS ITEM
3 ISN'T GOING TO BE DISCUSSED TODAY AND IS GOING TO GET
4 CARRIED OVER, I THINK WE OUGHT TO WORK ON THE TITLE OF
5 THE ITEM TOO. AND I THINK THAT'S THE SOURCE OF A LOT
6 OF THE PROBLEM WHEN THE FIRST LINE HITS "YOU CONTRACT
7 FOR TIRE-DERIVED FUEL," AND MAYBE IT SHOULD READ
8 SOMETHING LIKE "USES OF RECLAIMED RUBBER," THE GENERAL
9 CATEGORY RATHER THAN THE SPECIFICS.

10 MS. TRGOVCICH: I THINK ONE OF THE PROBLEMS
11 THAT WE HAVE, AND PERHAPS WE CAN OVERCOME IT, IS THAT
12 THE ALLOCATION ITEM THAT THE BOARD APPROVED LAST APRIL,
13 THIS WAS THE SPECIFIC TITLE FOR THE ITEM AND FOR THE
14 MONEY, AND PERHAPS WE CAN CHANGE IT. WE'LL EXPLORE
15 WITH LEGAL BEING ABLE TO DO THAT.

16 BOARD MEMBER FRAZEE: IT TENDS TO EMPHASIZE
17 THAT AND THAT IS THE SORE POINT, I THINK, WITH MANY OF
18 US.

19 MS. TOBIAS: I WILL JUST ADD, IF YOU DON'T
20 MIND, THAT WE KIND OF GO THROUGH THIS ONCE IN A WHILE
21 WITH TITLES. AND WHAT YOU ARE TRYING TO BALANCE,
22 ESPECIALLY WHEN AN ITEM GOES ON FOR A LONG TIME, YOU'RE
23 TRYING TO BALANCE THE NOTICING VERSUS THE CONTENT OF
24 IT. SO USUALLY WE TRY TO GO WITH THE CONTENT AND MAKE
25 SURE THAT IT'S ADEQUATELY NOTICED.



1 ONE OF THE PROBLEMS THAT HAPPENS IS IF
2 YOU CHANGE THE TITLE IN THE MIDDLE, THOSE FOLKS WHO,
3 YOU KNOW, REALLY ONLY READ OUR AGENDA ITEMS OR, YOU
4 KNOW, GET NOTICES AND DON'T COME TO MEETINGS MAY THINK
5 IT'S A DIFFERENT AGENDA ITEM OR WHATEVER. SO I'M NOT
6 SAYING ON THIS ONE WE CAN'T. I JUST KNOW THAT THIS
7 DOES COME UP ONCE IN A WHILE.

8 BOARD MEMBER CHESBRO: JUST HAVE TO START
9 USING THE TERMINOLOGY "THE ITEM PREVIOUSLY KNOWN AS."

10 CHAIRMAN PENNINGTON: OKAY. I THINK WE'VE
11 DISCUSSED THIS ENOUGH THAT WE CAN MOVE ON NOW.

12 BOARD MEMBER JONES: I HATE TO JUST GET THERE.

13 BOARD MEMBER CHESBRO: YOU DO NOT.

14 BOARD MEMBER JONES: NOT SO MUCH ABOUT THIS
15 ITEM, BUT I THINK THAT THERE'S BEEN A COUPLE OF THINGS
16 THAT HAVE BEEN SAID THAT, YOU KNOW, THIS NEEDS TO COME
17 BACK TO THE BOARD, THIS NEEDS TO -- AND I REALLY DON'T
18 HAVE A PROBLEM WITH THAT, BUT, YOU KNOW, WE KEEP SAYING
19 THAT WE HAVE A LEGAL OPINION THAT LIMITS THE WAY WE DO
20 BUSINESS. AND IF IT IS SO, YOU KNOW, I MEAN I THINK IT
21 DOES. WHEN I HEARD THE LEGAL OPINION, I SAID LET'S
22 HAVE BOARD MEETINGS TWICE A MONTH. I DON'T HAVE A
23 PROBLEM WITH THAT.

24 I MEAN I JUST KEEP SEEING CASES IN FRONT
25 OF US EVERY DAY AND NOW ONE WHERE THE BOARD MEMBERS



1 WANT TO BE INVOLVED IN MAKING SURE THAT WHAT WE
2 APPROVED IS BEING CARRIED OUT BY STAFF. I THINK THAT'S
3 FINE. I MEAN I DON'T HAVE ANY PROBLEM WITH THAT. BUT
4 I THINK IF WE'RE GOING TO DO THAT, MAYBE WE NEED TO
5 HAVE THE DISCUSSION. MAYBE I WANT TO PUSH THIS THING A
6 LITTLE BIT FURTHER AS TO I THINK WE'VE HAD GOOD
7 DISCUSSIONS TODAY. MR. EATON'S ITEMS ON 2136 WERE
8 VALUABLE. THIS ITEM IS VALUABLE.
9 WE NEED TO HAVE AN ITEM WHERE WE TALK
10 ABOUT REDOING THIS BOARD AND THE WAY WE DO BUSINESS AND
11 HAVING TWO MEETINGS A MONTH AND DOING AWAY WITH THE
12 COMMITTEES SO THAT WE CAN ALL SIT AND WORK WITHOUT
13 SCREWING AROUND WITH BAGLEY-KEENE. I MEAN IT'S OBVIOUS
14 THAT WE'RE TRYING TO TAILOR HOW WE'RE GOING TO DEAL
15 WITH THIS CONCEPT AROUND THE LEGAL OPINION, BUT WE'RE
16 NOT WILLING TO CHANGE OR TALK ABOUT HOW WE DO BUSINESS
17 ON ALL ITEMS. AND I DON'T THINK -- I DON'T THINK -- I
18 MEAN I DON'T FEEL GOOD ABOUT LEAVING THAT ALONE.
19 I WANT TO MOVE THAT DISCUSSION. AND
20 WHETHER IT'S A REQUEST TO HAVE ANOTHER MEETING ON THIS
21 TO AGENDIZE IT OR WHATEVER, MR. CHAIRMAN, BUT I THINK
22 THAT WHEN WE PICK AND CHOOSE HOW WE WANT TO DO THINGS,
23 THEN I DON'T -- I DON'T SEE THE CONSISTENCY. I AGREE
24 WITH EVERYTHING THAT YOU'VE SAID. I COMPLETELY. WITH
25 THE FACT THAT THE ORIGINAL ITEM SAID THAT IT WAS A, YOU



1 KNOW, TO INFORM. AND I AGREE WITH MR. CHESBRO AND
2 EVERYBODY ELSE. I DON'T WANT THIS TO BE A PROPAGANDA
3 PIECE. IT WAS INTENDED TO BE AN INFORMATION PIECE, AND
4 THE REASON THAT IT SAYS VIDEO OR SUPPORT MATERIAL IS
5 BECAUSE I SAID VIDEO SUPPORT. I DON'T CARE. SOMETHING
6 THAT GETS INFORMATION OUT TO PEOPLE THAT KNOWS HOW TO
7 DEAL WITH TIRES, YOU KNOW. SO I DON'T MIND THE
8 DISCUSSION, BUT I'D LIKE TO SEE THESE DISCUSSIONS HELD
9 EVERY OTHER WEEK.

10 CHAIRMAN PENNINGTON: THANK YOU, MR. JONES.
11 AND TO LET YOU KNOW THAT THIS WHOLE DISCUSSION AS TO
12 HOW THE BOARD SHOULD OPERATE UNDER THE RESTRAINTS THAT
13 WE'VE BEEN GIVEN AND TO EFFECTIVELY WORK OR TO TRY TO
14 WORK MORE EFFECTIVELY AND EFFICIENTLY IS UNDER WAY, AND
15 THAT I HOPE TO BRING TO THE BOARD WITHIN THE NEXT MONTH
16 OR TWO SOME SUGGESTED APPROACHES TO HOW WE MIGHT
17 OPERATE IN A LITTLE DIFFERENT FASHION.

18 MR. CHANDLER: MR. CHAIRMAN, AM I TO ASSUME,
19 BASED ON CAREN'S SUGGESTION, THAT WE WILL BE BRINGING
20 THE SCOPE OF WORK BACK TO THE FULL BOARD FOR
21 CONSIDERATION ONCE -- THAT THAT IS TO NOW APPLY TO ALL
22 SCOPES OF WORK BECAUSE I CAN IMAGINE THAT MR. CHESBRO
23 MIGHT BE OF THE OPINION THAT THAT IS NOW THE CASE?

24 BOARD MEMBER CHESBRO: THERE'S A COUPLE OTHER
25 ISSUES ON THE AGENDA TODAY WHERE I'M SURE WE'LL BE



1 TALKING ABOUT THAT.

2 MR. CHANDLER: BECAUSE I WOULD ECHO MR. JONES'
3 SENTIMENTS, THAT IF THAT'S THE PROCESS YOU NOW WANT TO
4 START TO GO DOWN, THEN I WOULD SAY THAT WE NEED TO MEET
5 MUCH MORE FREQUENTLY THAN ONCE A MONTH BECAUSE THE
6 IMPLICATIONS OF NOW PUTTING EVERY TIME WE HAVE AN
7 APPROVED CONTRACT CONCEPT BEFORE THE BOARD AND WE GET
8 OUR ITEMS WORKED OUT, BRINGING THAT BACK TO THE BOARD A
9 MONTH OR TWO LATER IS GOING TO SEVERELY HAVE
10 IMPLICATIONS FOR JUST HOW WE GET OUR BUSINESS DONE. SO
11 I'D LIKE TO HAVE YOU RECOGNIZE THERE'S A STAFF
12 IMPLICATION TO THE TIMING OF GETTING THIS WORK DONE
13 WE'RE TALKING ABOUT HERE AS WELL.

14 CHAIRMAN PENNINGTON: RIGHT. WELL, I
15 RECOGNIZE THAT, AND THAT'S WHY I SAY THAT, AS MR. JONES
16 HAS SUGGESTED, AND OTHER THINGS THAT WE NEED TO LOOK AT
17 HOW WE'RE OPERATING AND THE PROCEDURES IN WHICH WE
18 OPERATE UNDER AND HOW WE CAN MORE EFFICIENTLY DO IT,
19 BUT I DON'T THINK WE'RE PREPARED TO TAKE THAT ON TODAY,
20 THAT I THINK WE SHOULD HAVE A LITTLE MORE THOUGHTFUL
21 DOCUMENTATION IN FRONT OF US AND SOME TIME TO CONSIDER
22 ALL OF THE RAMIFICATIONS. SO I AGREE WITH YOU THAT IT
23 IS STAFF INTENSIVE AND THAT WE DO HAVE TO FIND A WAY TO
24 MOVED FORWARD, BUT I DON'T WANT TO BUILD A CAMEL HERE
25 TODAY. I'D RATHER LET US PUT TOGETHER SOME



1 DOCUMENTATION THAT WE ALL CAN LOOK AT AND FEEL MORE
2 COMFORTABLE WITH.

3 BOARD MEMBER CHESBRO: MR. CHAIRMAN, SINCE THE
4 COMMITTEE STRUCTURE WAS THROWN INTO THIS, I DO NEED TO
5 SAY THAT I DON'T THINK THAT ESTABLISHING THAT, A, THE
6 ADVISORS CANNOT FUNCTION THE WAY THEY HAVE PREVIOUSLY
7 OR THAT WE NEED TO MEET MORE FREQUENTLY OR THAT THE
8 SCOPES OF WORK SHOULD BE REVIEWED BY THE BOARD
9 ELIMINATES THE BENEFITS OF A COMMITTEE STRUCTURE. AND
10 I DON'T THINK THAT THOSE ARE INHERENTLY IN CONFLICT,
11 AND I DON'T AGREE THAT YOU REACH THE SAME CONCLUSION
12 FROM THE NEED TO ACKNOWLEDGE THE FIRST THREE POINTS.
13 THINK THE COMMITTEE STRUCTURE STILL HAS SIGNIFICANT
14 VALUE TO THE BOARD.

15 BOARD MEMBER JONES: BUT IT'S THE COMMITTEE
16 STRUCTURE OF THREE THAT'S MANDATED IN THE STATUTE.
17 SAYS IF WE HAVE COMMITTEES, THEY HAVE TO BE COMMITTEES
18 OF THREE. IT'S THAT COMMITTEE OF THREE THAT TRIGGERS
19 ALL OF THESE OTHER ISSUES. SO IF YOU DO AWAY WITH THE
20 COMMITTEES AND YOU DO WORK GROUPS WHERE EACH ONE OF US
21 IS ASSIGNED AN AREA AND WE CAN ALL COMMUNICATE BACK AND
22 FORTH TOGETHER, I THINK WE BECOME FACILITATORS AND GET
23 THE MATERIAL OUT.

24 BOARD MEMBER CHESBRO: THE ISSUE THAT
25 TRIGGERED THIS WAS THE INABILITY OF THE ADVISORS TO



1 WORK AS COMMITTEES AND TO SIT DOWN AND ON OUR BEHALF
2 REVIEW THESE ITEMS.

3 MR. CHANDLER: OR THE BAGLEY-KEENE ACT.

4 BOARD MEMBER JONES: IT WAS THE BAGLEY-KEENE
5 ACT.

6 BOARD MEMBER CHESBRO: SO YOU ARE SUGGESTING
7 THAT WE START DELEGATING TO NONCOMMITTEE COMMITTEES AND
8 THAT'S THE WAY TO GET AROUND THE OPEN MEETING LAW?

9 BOARD MEMBER JONES: I DON'T WANT TO GET
10 AROUND IT. I WANT TO EMBRACE IT BECAUSE I THINK IF
11 WE'RE HERE EVERY TWO WEEKS, PEOPLE HAVE MORE ACCESS TO
12 US, SO I DON'T HAVE A PROBLEM WITH THAT. I'M SURE AS
13 HELL NOT GOING TO GO AROUND IT. I LOVE IT.

14 CHAIRMAN PENNINGTON: MY POINT WAS THAT I
15 WOULD LIKE TO BRING SOMETHING CONCRETE BACK TO THE
16 BOARD TO DISCUSS. WHETHER IT'S ELIMINATING THE
17 COMMITTEES OR NOT ELIMINATING THE COMMITTEES, WE'RE
18 GETTING AHEAD OF OURSELVES BY TRYING TO DEBATE THAT
19 WITHOUT SOMETHING THAT IS CONCRETE AND THAT WE CLEARLY
20 UNDERSTAND WHAT THE DIRECTION WE'RE TRYING TO GO. AND
21 THAT'S ALL I'M TRYING TO SAY HERE TODAY IS I DON'T
22 THINK THAT THIS IS THE TIME OR THAT WE'RE READY TO
23 DISCUSS THIS WITHOUT FURTHER RESEARCH AND WITHOUT SOME
24 PLAN AS TO HOW WE MIGHT OPERATE IF WE TOOK A DIFFERENT
25 LOOK AT OURSELVES.



1 IF WE TAKE A DIFFERENT LOOK AT OURSELVES
2 AND WE STILL FEEL THAT COMMITTEES ARE THE BACKBONE OF
3 THIS ORGANIZATION, THEN WE'LL KEEP THEM. IF WE FEEL
4 THEY'RE NOT NECESSARY, THEN WE'LL GET RID OF THEM. I
5 DON'T -- I JUST THINK THAT WE'VE SPENT A LOT OF TIME ON
6 THIS. WE HAVE OTHER AGENDA ITEMS, AND WE HAVEN'T
7 REALLY PREPARED OURSELVES TO FULLY DISCUSS IT. SO I
8 WOULD LIKE TO MOVE ON IF WE HAVE NO OBJECTIONS.

9 MS. TRGOVCICH: CHAIRMAN PENNINGTON, IN ORDER
10 TO MOVE ON, LET ME JUST CLARIFY FOR THE BOARD. I'M
11 SORRY.

12 BOARD MEMBER EATON: I'LL SECOND THAT MOTION.

13 MS. TRGOVCICH: IN ORDER TO MOVE ON, I'D JUST
14 LIKE TO CLARIFY. THE ITEM NEXT MONTH WILL BE THE TITLE
15 "TO AWARD THE CONTRACT." IT WILL BE JUNE. AND IF WE
16 WERE TO CHANGE THE TITLE NOW TO BRING BACK AN APPROVAL
17 OF A SCOPE OF WORK, WE WOULD NOT BE ABLE TO MOVE BEYOND
18 THAT POINT. SO THE TITLE OF THE ITEM WILL BE "TO
19 AWARD." WE WILL PROVIDE GREATER DETAILED INFORMATION
20 AROUND THE RANGE AND APPROACH THAT WE INTEND THE
21 CONTRACTOR TO TAKE, AS WELL AS SUGGESTIONS,
22 RECOMMENDATIONS FOR THE BOARD ON APPROVAL JUNCTURES,
23 AT WHICH POINT THE VENDOR'S PRODUCTS OR THOUGHTS WILL
24 BE BROUGHT BACK BEFORE.

25 BOARD MEMBER CHESBRO: I THINK WE'RE DOOMED TO



1 PURGATORY HERE TO DISCUSS THIS FOREVER.

2 MS. TRGOVCICH: I APOLOGIZE. IT'S JUST IT'S
3 JUNE. I DON'T KNOW --

4 BOARD MEMBER CHESBRO: YOU TOLD ME THAT THE
5 CONTRACTOR -- OR YOU TOLD US THAT THE CONTRACTOR WAS
6 GOING TO DEVELOP A MORE DETAILED PROPOSAL OF HOW TO
7 CARRY THIS THING OUT, DID YOU NOT?

8 MS. TRGOVCICH: AS A PART OF THE CONTRACT.
9 ONCE THE CONTRACT IS SIGNED, THEN THEY WOULD PROCEED TO
10 EVALUATE THAT.

11 BOARD MEMBER CHESBRO: WELL, WHATEVER THAT
12 PROPOSAL IS CALLED, I WANT IT BROUGHT BACK TO THE
13 BOARD. THAT'S THE IDEA. NOT -- I MEAN YOU'RE TELLING
14 ME THAT WE'RE APPROVING A VERY VAGUE, OPEN-ENDED --

15 MS. TRGOVCICH: THE CONTRACTOR'S PROCESS.

16 BOARD MEMBER CHESBRO: - - GENERALIZED CONTRACT
17 CONCEPT NEXT MONTH.

18 CHAIRMAN PENNINGTON: I THINK WHAT HE WANTS IS
19 ONCE WE GET A CONTRACTOR, I THINK YOU NEED TO BRING US
20 THE CONTRACTOR NEXT MONTH. WE NEED TO DECIDE THAT
21 THAT'S THE DIRECTION TO GO. THEN ONCE HE FORMULATES A
22 PLAN, THEN THAT PLAN NEEDS TO COME BACK TO US SO WE CAN
23 SAY, FINE, WE'LL HAVE A VIDEO. WE'LL HAVE BROCHURES.
24 WE'LL HAVE LETTERHEAD, WHATEVER. I THINK THAT'S WHAT
25 YOU ARE TRYING TO GET TO.



1 BOARD MEMBER CHESBRO: THANK YOU.

2 CHAIRMAN PENNINGTON: OKAY. NOW WE'LL MOVE TO
3 ITEM 38, DISCUSSION AND CONSIDERATION OF REDIRECTION OF
4 FISCAL YEAR 1997-98 UNEXPENDED CONSULTING AND
5 PROFESSIONAL SERVICES FUND. WELCOME TO THE DEN. KARIN
6 FISH.

7 MS. FISH: THANK YOU, CHAIRMAN PENNINGTON AND
8 BOARD MEMBERS. THIS ITEM IS FOR THE CONSIDERATION AND
9 APPROVAL OF A REDIRECTION OF 65,700 IN UNEXPENDED
10 CONSULTING AND PROFESSIONAL SERVICES FOR THE '97-'98
11 FISCAL YEAR. THE MAJORITY OF THE UNSPENT FUNDS ARE A
12 RESULT OF THE C&D ALLOCATION THAT A PORTION REMAINED
13 UNCOMMITTED FOR VARIOUS REASONS, AS WELL AS CONTRACTS
14 BEING AWARDED AT LESSER AMOUNTS THAN ORIGINALLY
15 ALLOCATED.

16 THREE AREAS HAVE BEEN IDENTIFIED TO BE
17 CONSIDERED FOR THIS FUNDING. THE FIRST IS TO BEGIN AN
18 INITIAL VIDEO PRODUCTION SERVICES FOR THE 1999
19 GRASSCYCLING OUTREACH CAMPAIGN. IN THE NEXT ITEM TO BE
20 PRESENTED, ITEM 9, THE EXECUTIVE STAFF RECOMMENDATION
21 IS TO FUND 109,000 FROM THE '98-'99 CNP ALLOCATION.
22 USING THE DEPARTMENT OF GENERAL SERVICES
23 MASTER SERVICES AGREEMENT, STAFF PROPOSE TO GET AN
24 EARLY START ON THE PRODUCTION OF THE VIDEO BY USING
25 CURRENT YEAR FUNDING.



1 THE SECOND FUNDING PROPOSAL TO BE
2 CONSIDERED IS A REQUEST FOR UP TO 25,000 TO AMEND AN
3 EXISTING AGREEMENT WITH THE UNIVERSITY OF CALIFORNIA TO
4 DO AN ANALYSIS ON THE ECONOMIC IMPACT OF WASTE
5 DIVERSION. THIS FUNDING, IF APPROVED, WOULD BE TO
6 COMPARE THE RELATIVE COSTS AND BENEFITS OF WASTE
7 DISPOSAL AND WASTE DIVERSION FOR ONE OR MORE SELECTED
8 MATERIALS.
9 THE FINAL PROPOSAL THAT IS CONSIDERED IN
10 THIS ITEM IS FUNDING THE ALTERNATIVE COVERS ASSESSMENT
11 PROGRAM. THIS IS ALSO PART OF THE NEXT ITEM TO BE
12 HEARD, AND THIS CONSIDERATION IS BASED ON A REQUEST
13 FROM THE BOARD AT THE MAY ADMIN COMMITTEE.
14 THE STAFF' RECOMMENDATION IN THIS ITEM IS
15 THAT THE GRASSCYCLING CAMPAIGN BE FUNDED FOR 45,700
16 THIS YEAR TO GIVE THE PROJECT A HEAD START AND THAT THE
17 REMAINING 20,000 BE FUNDED FOR THE ADDITIONAL UC
18 ANALYSIS.
19 STAFF DETERMINED THAT THE ADC, WHILE
20 IMPORTANT, WOULD BE A MORE COMPLEX CONTRACT INVOLVING
21 MULTIPLE PARTIES THAT COULD NOT BE ACCOMPLISHED IN THE
22 SHORT TIME FRAMES THAT EXIST TO ENCUMBER THE '97-'98
23 FUNDS. THEREFORE, IN THE NEXT ITEM, WHEN IT IS BROUGHT
24 FORWARD TO THE BOARD FOR CONSIDERATION AND APPROVAL IN
25 JUNE, THE EXECUTIVE RECOMMENDATION WILL BE AMENDED TO



1 REDUCE THE GRASSCYCLING CAMPAIGN BY 15,000 AND INCLUDE
2 A RECOMMENDATION TO FUND THE ALTERNATIVE COVERS
3 ASSESSMENT PROGRAM BY THAT AMOUNT.
4 OPTIONS PROPOSED FOR YOU TO CONSIDER IN
5 THIS ITEM ARE OPTION ONE, TAKING THE STAFF
6 RECOMMENDATION AS DETAILED ABOVE, OR TO DIRECT STAFF TO
7 CONSIDER FURTHER OPTIONS. DO YOU HAVE ANY QUESTIONS?

8 CHAIRMAN PENNINGTON: DON'T ASK THAT.

9 MS. FISH: OKAY. TAKE IT BACK.

10 CHAIRMAN PENNINGTON: OKAY. QUESTIONS OF
11 STAFF? MR. EATON.

12 BOARD MEMBER EATON: START TO THE LEFT AND
13 MOVE TO THE RIGHT. I HAVE JUST WITH REGARD TO THE
14 VIDEO, DOES THE FACT THAT WE'RE ASKING TO FUND \$45,000
15 REDUCE THE AMOUNT WE REQUESTED IN ITEM 9 IN THE
16 CONTRACT CONCEPT?

17 MS. FISH: STAFF COULD PROBABLY ADDRESS THIS
18 MORE FULLY, BUT IN MY DISCUSSIONS WITH PROGRAM, THEY
19 INDICATED THAT THEY CAME FORWARD WITH A REQUEST OF
20 109,000, RECOGNIZING THAT MUCH MORE COULD BE POSSIBLY
21 SPENT IN THIS AREA TO GET THE QUALITY VIDEO THAT
22 THEY'RE LOOKING FOR. SO WHILE THEY'RE REQUESTING AT
23 15,000 - - OR THEIR 45,000 AUGMENTATION, THERE'S NOT A
24 LIKE REDUCTION IN THE EXECUTIVE STAFF RECOMMENDATION,
25 ONLY A \$15,000 RECOMMENDATION.



1 BOARD MEMBER EATON: SO THAT'S AN ADDITION.

2 SO THE CONTRACT CONCEPT, AND I'M NOT GOING INTO THE

3 VALIDITY OF THAT CONCEPT AT ALL, WOULD ACTUALLY --

4 MS. FISH: FOR THE 45 PLUS.

5 BOARD MEMBER EATON: PLUS WHATEVER -- IS IT

6 109 OR SOMETHING LIKE THAT?

7 MS. FISH: 109 LESS 15.

8 CHAIRMAN PENNINGTON: ANY OTHER QUESTIONS?

9 BOARD MEMBER EATON: HELP ME FIND OUT WHERE

10 THE MONEY CAME FROM.

11. MS. FISH: THE 65-700? OKAY. WE HAD A

12 \$50,000 ALLOCATION FOR C&D THAT WAS KIND OF AN ON

13 AGAIN, OFF AGAIN, AND 10,000 WAS ACTUALLY FUNDED FOR A

14 PURPOSE, BUT THAT LEFT 40,000 ON THE TABLE. THEN THERE

15 WAS ANOTHER 20,000 THAT WAS A RESULT OF SOME SAVINGS,

16 THINK, FOR THE CALMAX, AND THEN THERE WAS ANOTHER 2500,

17 AND I CAN'T REMEMBER THE CONTRACT THAT CAME IN. IT

18 CAME IN \$2500 LESS. AND I KNEW YOU WERE GOING TO ASK

19 ME THAT, AND I CAN'T REMEMBER WHICH PARTICULAR ONE THAT

20 WAS, BUT I COULD GET BACK TO YOU ON THAT.

21 BOARD MEMBER EATON: ON THE ECONOMIC MODEL, IF

22 WE FUND THAT, DOES THAT COMPLETE THE PROJECT, OR IS

23 THAT GOING TO BE AN ONGOING PROGRAMMATIC KIND OF THING

24 WHERE WE HAVE TO CONTINUALLY FUND THAT?

25 MS. FISH: THE ADDITIONAL 20,000?



1 BOARD MEMBER EATON: DOES THAT COMPLETE THE
2 PROJECT?

3 MS. FISH: I'D HAVE TO ASK STAFF FOR THAT.

4 MR. CHANDLER: LET ME ASK JUDY TO COME FORWARD
5 AND MENTION A LITTLE BIT ON THIS. IT'S MY UNDER-
6 STANDING THAT -- I'VE SPOKEN TO YOU IN THE PAST ABOUT
7 THE AMOUNT OF CAPITAL INVESTMENT THAT HAS GONE ON IN
8 THE STATE WITH RESPECT TO ALL OF THE DIVERSION PROGRAMS
9 THAT ARE IN PLACE. AND AS WE GET TO THE YEAR 2000, I
10 THINK THERE'S A STORY TO BE TOLD HERE ABOUT THE MOUNT
11 OF JOBS, THE AMOUNT OF TAX REVENUE, THE AMOUNT OF
12 CAPITAL INFRASTRUCTURE AND CAPITAL OUTLAY THAT'S JUST
13 GONE ON. THAT WORK IS ACTUALLY NOW BEING CONDUCTED BY
14 A PROFESSOR OF THE UNIVERSITY OF BERKELEY, AS I
15 UNDERSTAND IT, AND THE WORK IS WELL UNDER WAY AND
16 PROCEEDING AS PLANNED.

17 WHEN I ASKED IF THIS WAS IN NEED OF ANY
18 ADDITIONAL FUNDING TO PERHAPS ENHANCE THE REPORT, I
19 THINK JUDY'S RESPONSE WAS THAT CERTAINLY THE PROFESSOR
20 FELT THAT THE STUDY COULD BE EXPANDED TO INCLUDE EVEN A
21 GREATER DISCUSSION IN THIS AREA. SO WE WERE LOOKING
22 FOR AN AUGMENTATION TO AN EXISTING BOARD APPROVED
23 CONTRACT THAT, JUDY, YOU CAN TELL ME IF I'VE MISSED THE
24 MARK A LITTLE BIT, BUT WHAT ELSE COULD YOU ADD TO MY
25 EXPLANATION?



1 MS. FRIEDMAN: THE ONLY THING THAT I COULD ADD
2 IS THAT WE ORIGINALLY HAD THOUGHT WE WANTED TO GET
3 GOING ON THE ORIGINAL CONTRACT, WHICH WE HAVE, AS RALPH
4 INDICATED, AND THEN WE HAD ALREADY ANTICIPATED THAT WE
5 WOULD WANT TO COME FORWARD WITH THIS SO THAT WE COULD
6 ACTUALLY EXPAND THE WORK THAT PROFESSOR GOLDMAN IS
7 CONDUCTING. AND THIS HAPPENED TO BE THE OPPORTUNITY TO
8 DO THAT. SO THIS IS FOR AN AUGMENTATION OF AN EXISTING
9 CONTRACT.

10 BOARD MEMBER EATON: BUT DOES IT COMPLETE THE
11 PROJECT? WITH THIS AMOUNT OF MONEY, IS IT ONCE AND FOR ALL
12 FUNDED FOR WHAT WE NEED?

13 MS. FRIEDMAN: IT IS MY UNDERSTANDING FROM
14 WHAT STAFF INDICATED TOME, YES.

15 BOARD MEMBER EATON: SO WE HAVE NO MORE MONEY
16 THAT WE'LL EVER GIVE TO THIS STUDY. IS THAT WHAT
17 YOU'RE TELLING ME? I MEAN IT'S GOING TO COMPLETE THE
18 PROJECT. WE'RE GOING TO GET A REPORT BACK, RIGHT? NOW
19 WE'VE AUGMENTED, WHATEVER, WE'RE GOING TO GET A REPORT
20 BACK?

21 MS. FRIEDMAN: WE'RE GOING TO GET A REPORT
22 AND IT IS MY UNDERSTANDING THAT WE WOULD NOT BE
23 NEEDING MORE MONEY. I DON'T HAVE A CRYSTAL BALL, BUT
24 THIS IS MY UNDERSTANDING IS THIS IS WHAT WE WOULD BE
25 DOING AND THIS AUGMENTATION IS TO DO AN ADDITIONAL



1 KIND OF ANALYSIS. THE ORIGINAL SCOPE OF WORK WAS MORE
2 OF, AS MR. CHANDLER SAID, IS KIND OF THE MACROECONOMIC
3 IMPACTS OF 939. WHAT ARE THE JOBS? WHAT ARE THE
4 REVENUES? WHAT IS THE INFORMATION? AND THIS
5 AUGMENTATION IS TO LOOK AT COST BENEFITS OF A
6 PARTICULAR ECONOMIC ACTIVITY.

7 BOARD MEMBER EATON: WHICH IS?

8 MS. FRIEDMAN: WELL, IT DEPENDS. WE WOULD
9 LOOK AT PRIORITY MODELS. WE WOULD LOOK -- PRIORITY
10 MATERIALS, EXCUSE ME. WE WOULD LOOK AT DIFFERENT KINDS
11 OF PROGRAMS. IT WOULD BE A VARIETY OF THINGS, BUT
12 WE'RE TRYING TO GET A MORE DETAILED COST BENEFIT IN
13 TERMS OF DISPOSAL VERSUS DIVERSION ON THIS
14 AUGMENTATION.

15 BOARD MEMBER EATON: WHAT OTHER ACTIVITIES
16 WERE CONSIDERED FOR FUNDING OTHER THAN THESE THREE
17 THEN?

18 MS. FISH: I'M NOT AWARE OF ANY OTHERS, JUST
19 THESE THREE.

20 MR. CHANDLER: AS YOU RECALL, SOME OF THIS
21 MONEY WAS TIED UP IN THE PROPOSED CONTRACT WITH THE
22 GREEN BUILDING CONSULTANT THAT THEN FREED ITSELF UP BY
23 GENERAL SERVICES ESSENTIALLY CHOOSING TO MOVE ON THEIR
24 OWN TO ACCOMPLISH THE SAME EFFORT. SO WE HAD
25 ESSENTIALLY ELEVENTH HOUR AVAILABILITY OF FUNDING THAT



1 CAME TO LIGHT.

2 BOARD MEMBER EATON: SO THE 65 CAME FROM THAT?
3 THAT'S NOT WHAT SHE SAID.

4 MS. FISH: NO. 40,000 CAME FROM THAT.

5 MR. CHANDLER: 40,000. AND I THINK SHE SAID
6 IT WAS ORIGINALLY SOME C&D. IF YOU RECALL, I CAME TO
7 YOU AND ASKED IF YOU WOULD BE OPEN TO REDIRECTING THE
8 C&D DOLLARS TO THE GREEN BUILDING EFFORT, WHICH YOU HAD
9 AGREED TO DO. THAT MONEY CAME AVAILABLE AGAIN WHEN
10 GENERAL SERVICES ESSENTIALLY CHOSE TO TAKE THAT WORK ON
11 THEMSELVES. SO IT -- IT'S REALLY JUST BEEN IN THE LAST
12 MONTH THAT WE'VE HAD THIS MONEY COME BACK INTO THE
13 ELIGIBLE DISCRETIONARY ACCOUNT, IF YOU WILL, FOR
14 REDIRECTION. SO IT HAS BEEN JUST IN THE LAST MONTH
15 THAT WE PUT THESE IDEAS FORWARD.

16 BOARD MEMBER EATON: SO WHEN IS THE ECONOMIC
17 MODEL GOING TO BE READY?

18 MR. CHANDLER: PAT OR JUDY, THE QUESTION WAS
19 WHEN IS THE MODEL GOING TO BE READY? WHAT'S THE
20 TIMETABLE FOR GETTING THE CONTRACT WORK COMPLETED?

21 MS. FRIEDMAN: ABOUT A YEAR FROM NOW. BUT
22 THIS AUGMENTATION WOULD PROBABLY ADD A LITTLE BIT MORE
23 TIME. ONE OF THE THINGS THAT WE'RE GOING TO GET OUT OF
24 THE AUGMENTATION IS THE ACTUAL ABILITY TO -- TOOLS TO
25 BE ABLE TO GENERATE THESE KINDS OF ANALYSIS IN THE



1 FUTURE.

2 BOARD MEMBER EATON: DO WE HAVE A CONTRACT
3 WITH THE UNIVERSITY?

4 MS. FRIEDMAN: YES.

5 BOARD MEMBER EATON: AND WHAT ARE THE TERMS
6 WITH REGARD TO WHEN THE REPORT HAS TO BE DONE, OR IS
7 THERE SUCH A TERM OR DO WE JUST HAVE AN OPEN-ENDED
8 CONTRACT WHEN WE ENTER INTO THESE SO THAT NO MATTER
9 WHAT HAPPENS, WE DON'T HAVE TO GET A REPORT BY A
10 CERTAIN DATE?

11 MS. FRIEDMAN: NO, WE HAVE A SCOPE OF WORK
12 THAT, IN FACT, ALL THE ADVISORS REVIEWED, AND I ONLY
13 RECEIVED ONE COMMENT FROM AN ADVISOR ON.

14 BOARD MEMBER EATON: I DON'T THINK YOU SHOULD
15 GO THERE RIGHT NOW. I THINK YOU SHOULD MAYBE JUST TRY
16 AND FIGURE OUT WHEN IT IS THE CONTRACT SAYS THAT THE
17 REPORT WILL BE DUE.

18 MS. FRIEDMAN: I'M LOOKING THROUGH MY SCOPE OF
19 WORK RIGHT NOW TO FIND THAT ANSWER FOR YOU. PROJECT
20 WRAP-UP, DECEMBER OF 1999.

21 BOARD MEMBER CHESBRO: MR. CHAIRMAN.

22 CHAIRMAN PENNINGTON: MR. CHESBRO.

23 BOARD MEMBER CHESBRO: DO THE ADDITIONAL
24 ACTIVITIES -- FIRST OF ALL, I WANT TO SAY THAT I
25 SUPPORT BOTH OF THESE CONTRACT ENHANCEMENTS. I THINK



1 THEY'RE GOOD CONTRACTS. BUT I WANT TO KNOW DO BOTH OF
2 THE ENHANCEMENTS FALL WITHIN THE EXISTING SCOPE OF
3 WORK, OR IS THERE GOING TO NEED TO BE MODIFICATION TO
4 THE SCOPE OF WORK TO ACHIEVE THE TASKS FOR EITHER OF
5 THE TWO THAT ARE PROPOSED?

6 MS. FISH: WE CAN LOOK AT THAT. I'M NOT SURE
7 IF THE ADDITION TO -- OF THE 20,000 WILL CHANGE. THE
8 SCOPE OF WORK FOR THE PREVIOUS ONE, FOR THE VIDEO,
9 HASN'T REALLY BEEN ESTABLISHED YET, SO THAT WOULD BE
10 INCORPORATED. SO IF YOU ARE SPECIFICALLY WORK -- YOU
11 KNOW, WITH THE EXISTING ONE FOR THE UNIVERSITY, WE'D
12 HAVE TO LOOK TO SEE IF THE SCOPE OF WORK INCLUDES, AND
13 IT SOUND TO ME LIKE WE'RE ASKING FOR ADDITIONAL WORK ON
14 THEIR PART, SO IT WOULD PROBABLY HAVE TO BE AMENDED.

15 BOARD MEMBER CHESBRO: WELL, MY COMMENTS ON
16 THE PREVIOUS ITEM, DITTO. I FEEL THE SAME WAY, THAT IN
17 TERMS OF UNDERSTANDING HOW THE BOARD'S DIRECTION IS
18 GOING TO BE CARRIED OUT, I WOULD LIKE TO HAVE THE BOARD
19 ABLE TO REVIEW THE SCOPES OR THE MODIFIED SCOPES, WHICH
20 I THINK COULD STILL BE DONE IN JUNE IF WE'RE GOING TO
21 ENCUMBER THE MONEY FOR THIS FISCAL YEAR, CORRECT?

22 MS. FISH: YEAH. IT HAS TO BE -- YEAH, WE
23 HAVE TO HAVE IT READY BY JUNE. SO WE -- JUDY, WE COULD
24 DEVELOP THAT AND SEND IT FORWARD USING THE CURRENT
25 PROCESS?



1 MS. FRIEDMAN: YES. WE'LL TAKE A LOOK TO SEE
2 WHETHER IT'S NECESSARY OR NOT BECAUSE THE SCOPE OF WORK
3 THAT DID GO THROUGH EVERYBODY'S REVIEW IS VERY
4 SPECIFIC. AND I KNOW WE DIDN'T WANT TO GO THERE, BUT I
5 ONLY RECEIVED ONE COMMENT, WHICH WAS IT WAS A VERY GOOD
6 SCOPE OF WORK AND VERY WELL --

7 BOARD MEMBER CHESBRO: WELL, THE ISSUE WOULD
8 BE WHETHER THERE WAS SIGNIFICANT CHANGE IN WHAT HAS
9 BEEN PREVIOUSLY REVIEWED. BUT I AM AGAIN SUGGESTING IF
10 THERE WERE TO BE ANY SIGNIFICANT CHANGE, THAT WE BE
11 CHANGING OUR PROCESS HERE, THAT WE -- THIS IS SOMETHING
12 WE NEED TO DISCUSS AND I'M NOT PUTTING THIS ON YOU --
13 ABOUT IF THERE IS SIGNIFICANT CHANGE, THEN I THINK IT
14 NEEDS TO BE BACK BEFORE THE BOARD -- HAS TO BE BEFORE
15 THE BOARD.

16 CHAIRMAN PENNINGTON: OKAY. MR. JONES.

17 BOARD MEMBER JONES: I'D LIKE TO JUST ASK A
18 QUESTION. HAVE YOU HAD INPUT INTO OR HAD INPUT WITH
19 THIS PROFESSOR IN BERKELEY? DO WE HAVE A PRETTY GOOD
20 IDEA WHAT WE'RE GOING TO BE PAYING FOR? I DON'T WANT
21 TO SEE ANOTHER WALL STREET JOURNAL ISSUE THAT SAYS, YOU
22 KNOW -- I DON'T WANT US TO FUND SOMETHING THAT WE
23 DON'T -- THAT'S GOING TO WIPE OUT THE INDUSTRY AS WE
24 KNOW IT.

25 MS. FRIEDMAN: YES. WE DO HAVE AN



1 UNDERSTANDING OF THIS GENTLEMAN'S WORK. IN FACT, SOME
2 OF YOU MAY RECALL THAT WE HAD ACTUALLY PROPOSED THIS
3 CONTRACT CONCEPT FOR ABOUT THREE YEARS PRIOR TO THE
4 BOARD HAVING THE FUNDS TO BE ABLE TO AWARD THIS
5 CONCEPT. AND WE ARE WORKING WITH PUBLIC AFFAIRS OFFICE
6 TO MAKE SURE THAT WE HAVE EASILY UNDERSTOOD, WELL
7 READABLE, AND PROVIDE US THE INFORMATION ABOUT THE
8 INFRASTRUCTURE, THE JOBS, THE ECONOMIC BENEFITS OF 939
9 IS REALLY WHERE WE'RE GOING WITH THIS.
10 THIS IS A QUESTION THAT WE GET ASKED
11 CONSTANTLY EVERY YEAR BY THE LEGISLATURE, EVERY YEAR BY
12 OUR CONSTITUENTS, AND USUALLY WE END UP SCRAMBLING TO
13 PULL TOGETHER INFORMATION THAT ISN'T REAL
14 COMPREHENSIVE. THIS PARTICULAR GENTLEMAN HAS SPENT HIS
15 WHOLE ENTIRE CAREER DEVELOPING THESE KINDS OF MODELS
16 AND IS WELL KNOWN IN HIS FIELD.
17 BOARD MEMBER JONES: I SUPPORT THE CONCEPT
18 COMPLETELY. I DON'T HAVE ANY PROBLEM WITH THAT. I
19 WILL TELL YOU -- I DIDN'T -- I DIDN'T DO IT AS PART OF
20 MY COMMITTEE REPORT, BUT MY LAST WEEK IN D.C. ON THESE
21 TYPES OF ISSUES, THERE IS NO QUANTIFIED INFORMATION
22 ANYWHERE IN THE UNITED STATES ABOUT THE BENEFITS. SO
23 IT CAN ALWAYS BE -- IT'S EASY TO MAKE ALLEGATIONS AND
24 ASSERTIONS WHEN YOU DON'T HAVE ANYTHING IN WRITING THAT
25 YOU CAN -- THAT YOU CAN USE TO REFUTE IT. AND THIS WAS



1 A - - THIS WAS A VERY WIDE-BASED CONFERENCE, SO YOU HAD
2 A LOT OF PEOPLE THAT PUT FORWARD THE IDEA THAT NONE OF
3 THIS STUFF MAKES SENSE. AND SO I COMPLETELY SUPPORT
4 IT. I THINK IT IS VERY IMPORTANT. AND I'M -- I THINK
5 THAT WHEN PEOPLE UNDERSTAND THE DOLLARS BY CITIES,
6 COUNTIES, AND PRIVATE INDUSTRY THAT HAVE GONE IN TO
7 BUILD THE INFRASTRUCTURE, IT IS GOING TO MAKE PEOPLE
8 AWARE OF JUST HOW IMPORTANT THIS LAW IS AND HOW
9 IMPORTANT IT NEEDS TO BE CONTINUED BECAUSE IT WOULD
10 BANKRUPT THIS STATE.

11 BOARD MEMBER EATON: PERHAPS ONE OF THE
12 SUGGESTIONS WE COULD HAVE TO EASE YOUR CONSCIENCE,
13 BECAUSE I SHARE YOUR CONCERN, PERHAPS WE SHOULD HAVE
14 THE GOOD MR. GOLDMAN AND/OR PROFESSOR ZENG COME HERE
15 AND GIVE US AN UPDATE ON WHERE HE'S GOING, AND WE COULD
16 HAVE SOME QUESTIONS AND MAYBE ACTUALLY MOVE HIM IN A
17 DIRECTION WHERE WE HAVE A LITTLE EXPERTISE IN THIS AREA
18 AS WELL. I WOULD THINK, MR. JONES, WITH HAVING TOILED
19 IN THE LANDFILLS FOR MANY YEARS, THAT YOU MIGHT BE ABLE
20 TO TAKE HIM OUT OF THE THEORETICAL AND GIVE HIM SOME
21 PRACTICAL.

22 MS. FRIEDMAN: CHAIRMAN PENNINGTON, IF I COULD
23 RESPOND TO THAT. IT'S BUILT INTO THE SCOPE OF WORK
24 THAT THEY DO COME TWICE TO THE BOARD TO PRESENT UPDATES
25 THROUGHOUT THE PROJECT, AND WE WILL ALSO BE GETTING



1 MONTHLY UPDATES. THIS IS SOMETHING THAT WE WILL BE
2 WATCHING VERY CLOSELY, I CAN ASSURE YOU.

3 CHAIRMAN PENNINGTON: TWO QUICK QUESTIONS.

4 BOARD MEMBER EATON: WHEN IS THE NEXT UPDATE?

5 MS. FRIEDMAN: IT'S NOT BEEN SCHEDULED AT THIS
6 POINT.

7 CHAIRMAN PENNINGTON: TWO QUICK QUESTIONS.

8 ONE IS WE'RE NOT GOING TO PAY HIM OFF UNTIL WE'VE SEEN
9 THE FINAL PRODUCT.

10 MS. FRIEDMAN: I THINK THAT'S THE PROCESS.
11 IT'S ALWAYS IN ARREARS.

12 BOARD MEMBER JONES: ALMOST ALWAYS.

13 CHAIRMAN PENNINGTON: WHO OWNS THE DOCUMENT
14 ONCE IT'S COMPLETED AND PAID FOR?

15 MS. FRIEDMAN: WE OWN THE DOCUMENT.

16 CHAIRMAN PENNINGTON: WE DO, NOT THE
17 UNIVERSITY, NOR THE PROFESSOR?

18 MS. FRIEDMAN: THAT'S CORRECT.

19 BOARD MEMBER CHESBRO: MR. CHAIRMAN.

20 CHAIRMAN PENNINGTON: YES, MR. CHESBRO.

21 BOARD MEMBER CHESBRO: I'M PREPARED TO MOVE
22 THE RECOMMENDATIONS ON THE TWO ITEMS AND, IN ADDITION
23 TO THE STAFF'S RECOMMENDATION, ASK STAFF IF THERE ARE
24 SIGNIFICANT MODIFICATIONS TO THE SCOPES OF WORK FOR
25 EITHER CONTRACT, THAT THEY BE BROUGHT BACK FOR BOARD



1 CONSIDERATION AT THE JUNE BOARD MEETING.

2 CHAIRMAN PENNINGTON: OKAY. YOU'VE HEARD THE
3 MOTION.

4 BOARD MEMBER EATON: SECOND THAT.

5 CHAIRMAN PENNINGTON: OKAY. THE MOTION HAS
6 BEEN SECONDED BY MR. EATON. ANY FURTHER DISCUSSION?

7 BOARD MEMBER JONES: I HAVE ONE QUESTION. THE
8 SCOPE, I DIDN'T HEAR THE WHOLE MOTION, MR. CHESBRO, BUT
9 THE SCOPE THAT GOT CIRCULATED THAT CAME BACK WITH ONLY
10 ONE COMMENT, IS THAT - -

11 BOARD MEMBER CHESBRO: IF THERE'S SIGNIFICANT
12 MODIFICATIONS.

13 BOARD MEMBER JONES: CHANGE TO THAT.

14 BOARD MEMBER CHESBRO: IF THERE'S SIGNIFICANT
15 MODIFICATION TO THE PREVIOUSLY CIRCULATED SCOPE.

16 BOARD MEMBER JONES: I JUST DIDN'T HEAR THE
17 WHOLE MOTION. I DON'T HAVE A PROBLEM WITH THAT.

18 CHAIRMAN PENNINGTON: ANY FURTHER DISCUSSION?
19 IF NOT, WILL THE SECRETARY CALL THE ROLL.

20 THE SECRETARY: BOARD MEMBER AMODIO. ABSENT.

21 BOARD MEMBER CHESBRO.

22 BOARD MEMBER CHESBRO: AYE.

23 THE SECRETARY: EATON.

24 BOARD MEMBER EATON: AYE.

25 THE SECRETARY: FRAZEE.

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1 BOARD MEMBER FRAZEE: AYE.
2 THE SECRETARY: JONES.
3 BOARD MEMBER JONES: AYE.
4 THE SECRETARY: CHAIRMAN PENNINGTON.
5 CHAIRMAN PENNINGTON: AYE. MOTION CARRIES.
6 ITEM NO. 9, MAYBE -- I THINK THIS MIGHT
7 ENTAIL SOME FURTHER DISCUSSION, SO WHY DON'T WE BREAK
8 NOW AND BE BACK AT 1:30.

9 (RECESS TAKEN.)
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1 WEDNESDAY, MAY 27, 1998

2 1:30 P.M.

3

4 CHAIRMAN PENNINGTON: GOOD AFTERNOON TO THE
5 AFTERNOON SESSION OF THE MAY MEETING OF THE CALIFORNIA
6 INTEGRATED WASTE MANAGEMENT BOARD. WE HAVE A QUORUM
7 PRESENT. LET'S START WITH MR. EATON. DO YOU HAVE ANY
8 EX PARTES THAT YOU NEED TO REPORT?

9 BOARD MEMBER EATON: NONE.

10 CHAIRMAN PENNINGTON: MR. JONES.

11 BOARD MEMBER JONES: NOPE.

12 CHAIRMAN PENNINGTON: MR. FRAZEE.

13 BOARD MEMBER FRAZEE: NOPE.

14 CHAIRMAN PENNINGTON: NEITHER DO I.

15 THE NEXT ITEM IS ITEM NO. 9, PRESENTATION
16 OF CONSIDERATION OF CONTRACT CONCEPTS FOR DISCRETIONARY
17 CONSULTING AND PROFESSIONAL SERVICES FOR THE FISCAL
18 YEAR 1998-99. KARIN FISH.

19 MS. FISH: THANK YOU. THIS ITEM, AS YOU
20 INDICATED, IS THE PRESENTATION OF THE '98-'99
21 DISCRETIONARY CONTRACT CONCEPTS THAT WERE BROUGHT
22 BEFORE THE ADMINISTRATION COMMITTEE ON MAY 12TH. AS
23 DIRECTED BY THE BOARD, THIS ITEM IS BEING PRESENTED AS
24 INFORMATIONAL ONLY, AND THERE ARE NO OPTIONS TO
25 CONSIDER AT THIS TIME.



1 CONCEPTS BEING PRESENTED INCLUDES THOSE
2 TO BE FUNDED FROM THE OIL FUND, RMDZ, THE IWMA, WITH
3 THE TIRE ALLOCATIONS ALREADY BEING MADE. YOU COMPLETED
4 THAT AT THE APRIL BOARD MEETING. AS CONCEPTS IN THE
5 IWMA HAVE EXCEEDED THE FUNDING THAT'S AVAILABLE, AN
6 EXECUTIVE STAFF RECOMMENDATION HAS BEEN INCLUDED.
7 AS I INDICATED IN THE PREVIOUS ITEM, THE
8 RECOMMENDATION WILL BE AMENDED TO REDUCE CONCEPT NO. 6
9 FOR THE GRASSCYCLING OUTREACH CAMPAIGN BY 15,000 AND
10 RECOMMEND FUNDING OF CONCEPT NO. 11 FOR THE ALTERNATIVE
11 COVERS ASSESSMENT PROGRAM WHEN THE ITEM IS PRESENTED IN
12 JUNE FOR YOUR CONSIDERATION AND APPROVAL.
13 I HATE TO ASK THIS, BUT DO YOU HAVE ANY
14 QUESTIONS REGARDING THE ITEMS OR ANY SPECIFIC QUESTIONS
15 THAT YOU'D LIKE TO DIRECT TO PROGRAM STAFF ON THE
16 INDIVIDUAL CONCEPTS?

17 CHAIRMAN PENNINGTON: MR. EATON.

18 BOARD MEMBER EATON: I'M TAKING OVER FOR MR.
19 JONES FOR TODAY. HE ASKED ME IF I WOULD START ON THE
20 LEFT AND MOVE.

21 WITH REGARD TO ITEMS 9 AND 10, CONCEPT
22 NO. 9 AND 10, DEALING WITH COMPOST ODOR STANDARDS AND
23 THINGS OF THAT NATURE, IS THERE ANY WAY TO FULFILL --
24 DOESN'T ITEM 10 SORT OF FULFILL THE CONCEPT OF 9 AND
25 THE SB 675 REQUIREMENTS? I MEAN THEY'RE SIMILAR AND



1 THEY'RE ONE IN THE SAME IN MANY WAYS.

2 MS. RICE: NINE WAS SPECIFICALLY THE ONE WE
3 HAD DEVELOPED MOST RELEVANT TO SB 675. THE OTHER WAS
4 KIND OF A BROADER STUDY OF EMISSIONS AT COMPOSTING
5 FACILITIES MORE RELATED TO THE GENERAL CONCERNS OF THE
6 PUBLIC AND RESIDENTS AROUND COMPOSTING FACILITIES ABOUT
7 HEALTH IMPACTS. AND SO IT WAS KIND OF ENVISIONED AS A
8 BROADER RESEARCH EFFORT; WHEREAS, THE SB 675 WORK WOULD
9 BE MORE FOCUSED ON IF -- NOT IF, SINCE WE HAVE -- THE
10 LEA'S NOW HAVE AUTHORITY UNDER LAW FOR ENFORCING ODOR
11 STANDARDS, AND WE ESSENTIALLY HAVE NO STANDARDS, WE
12 NEEDED SOME TECHNICAL SUPPORT FROM A CONTRACTOR TO
13 ASSIST US IN DEVELOPING GUIDANCE ON WHAT THOSE
14 STANDARDS MIGHT BE.

15 BOARD MEMBER EATON: IS THERE ANY WAY THAT WE
16 CAN GET THE ARB OR LOCAL GOVERNMENT SUPPORT FOR SOME OF
17 THIS?

18 MS. RICE: I'M SURE WE COULD LOOK INTO SOME
19 ASPECTS OF THAT, YES.

20 BOARD MEMBER EATON: SO IS 9 AND 10 DISTINCT?

21 MS. RICE: WE VIEWED THEM AS DISTINCT IN THAT
22 WHEN WE DEVELOPED THEM, WE ENVISIONED THAT VERY
23 DIFFERENT KINDS OF CONTRACTORS WOULD DO THE TWO. THE
24 NO. 10, AND MAYBE DIANE MIGHT WANT TO SPEAK TO IT,
25 BEING MORE OF A RESEARCH LEVEL OF EMISSIONS, AND NO. 9



1 BEING THE DEVELOPMENT OF STANDARDS. SO WE DID VIEW
2 THEM AS SEPARATE CONTRACTORS.
3 YOU KNOW, WE HAVE HAD QUESTIONS FROM
4 VARIOUS MEMBERS ABOUT WHETHER THEY COULD BE COMBINED.
5 I'M SURE IF THAT WERE THE WILL OF THE BOARD, WE WOULD
6 FIND A WAY TO COMBINE THE TWO IDEAS AND OBTAIN THE
7 WORK.

8 MY BET IS THAT EVEN IF WE DID THAT, WE
9 WOULD HAVE SOME KIND OF SUBCONTRACTING ARRANGEMENT
10 WHERE YOU WOULD LIKELY HAVE DIFFERENT PARTIES WORKING
11 ON THE TWO UNDER ONE CONTRACT.

12 BOARD MEMBER EATON: BUT IT WOULD PROBABLY
13 SAVE US MONEY.

14 MS. KIHARA: WELL, I'M DIANE KIHARA. I
15 GENERATED ONE OF THE CONTRACT CONCEPTS. THE DIFFERENCE
16 BETWEEN THE TWO IS THE WAY THAT YOU WOULD COLLECT THE
17 DATA FOR THE BIOAEROSOL COMPOSTING IS VERY DIFFERENT
18 THAN WHEN YOU LOOK AT, WHICH IS NO. 10, IS VERY
19 DIFFERENT THAN WHEN YOU ARE LOOKING AT ODORS AND
20 DEVELOPING AN ODOR STANDARD. THE ODOR STANDARD, YOU
21 HAVE A PANEL, AND IT'S PEOPLE SMELLING DIFFERENT TYPES
22 OF ODORS VERSUS ITEM 10 WHERE WE WOULD ENVISION A
23 CONTRACTOR ACTUALLY GOING OUT AND COLLECTING
24 INFORMATION ON THINGS LIKE ASPERGILLUS AND DIFFERENT
25 BIOAEROSOLS TO COLLECT DATA BECAUSE THERE ISN'T A LARGE



1 DATABASE AVAILABLE ON EMISSIONS FROM COMPOSTING
2 FACILITIES.

3 BOARD MEMBER EATON: I'VE GOT ONE OTHER
4 QUESTION ON ANOTHER CONCEPT.

5 CHAIRMAN PENNINGTON: UNDER A DIFFERENT
6 FUNDING?

7 BOARD MEMBER EATON: DIFFERENT. SO I'LL WAIT
8 AND SEE IF ANYONE ELSE WANTS FOLLOW-UP QUESTIONS --

9 CHAIRMAN PENNINGTON: ANY OTHER QUESTIONS ON
10 THIS ONE? MR. CHESBRO.

11 BOARD MEMBER CHESBRO: MY ONLY COMMENT WOULD
12 BE TO AGAIN SAY DITTO WITHOUT REPEATING THE WHOLE
13 CONVERSATION THIS MORNING RELATIVE TO MY CONCERNS ABOUT
14 THE APPROVAL PROCESS, BUT I THINK THAT NEEDS TO BE A
15 SEPARATE DISCUSSION ITEM AT SOME POINT.

16 CHAIRMAN PENNINGTON: YES.

17 BOARD MEMBER CHESBRO: I ALSO HAVE -- I NOTICE
18 THERE'S A SPONSORSHIP LINE ITEM HERE, AND I'M CURIOUS
19 ABOUT THE STATUS OF SPONSORSHIP BECAUSE I GOT A -- I
20 RECEIVED A REQUEST YESTERDAY WHICH I WAS GOING TO
21 DISTRIBUTE TO EACH OF YOU, NOT FOR APPROVAL TODAY, BUT
22 FOR FUTURE CONSIDERATION THAT INVOLVES THE PLASTIC
23 REDESIGN PROJECT WHICH THE BOARD HAD PREVIOUSLY
24 ENDORSED. SO I WAS JUST GOING TO HAND OUT COPIES AND
25 ASK US TO TRY TO FIGURE OUT A WAY -- IS THERE



1 SPONSORSHIP MONEY LEFT IN THIS YEAR'S BUDGET? DID WE
2 EAT UP EVERY PENNY AVAILABLE THERE?

3 MS. FISH: I DON'T BELIEVE SO. I BELIEVE IT
4 WAS ALL ALLOCATED. I COULD CHECK WITH JOHN FRITH.

5 BOARD MEMBER CHESBRO: THIS IS NOT EXACTLY THE
6 PERFECT PLACE OR APPROPRIATE PLACE TO EVEN SURFACE
7 THIS. I'M JUST GOING TO HAND IT OUT. I'D LIKE IT TO
8 BE LOOKED AT. IT IS AN IMPORTANT PROJECT RELATIVE TO
9 TRYING TO BUILD CONSENSUS AROUND THE PLASTICS RECYCLING
10 ISSUE. AND IT'S A REQUEST, AN INDUSTRY REQUEST, FOR A
11 SMALL AMOUNT OF MONEY TO HELP THEM WITH THE PROJECT, SO
12 I'LL HAND COPIES OF THAT OUT.

13 CHAIRMAN PENNINGTON: OKAY. FINE. I THINK ON
14 THIS PARTICULAR FUNDING ACCOUNT, MR. EVAN EDGAR WANTS
15 TO --

16 MR. EDGAR: GOOD AFTERNOON, CHAIRMAN AND BOARD
17 MEMBERS. MY NAME IS EVAN EDGAR REPRESENTING THE
18 CALIFORNIA REFUSE REMOVAL COUNCIL. WE DO SUPPORT THE
19 PUBLIC FORUM. ALWAYS SUPPORTED HAVING THE PUBLIC
20 DISCUSSION. MAKES GREAT THEATER. AND I'M HERE TODAY
21 TO ADD TO THAT, I GUESS.
22 I HAVE A LETTER I WOULD LIKE TO SUBMIT
23 INTO THE RECORD I PASSED OUT DURING ADMIN COMMITTEE AND
24 I PASS OUT AGAIN TODAY IS THAT WE'D LIKE TO GO ON
25 RECORD OF SUPPORTING A LOT OF DIFFERENT --



1 CHAIRMAN PENNINGTON: I THINK THERE'S SOME WHO
2 MIGHT THINK IT'S MORE A CIRCUS THAN A THEATER.

3 MR. EDGAR: BUT WE CREATE SOME PRETTY GOOD
4 POLICY OUT OF IT AND HAVE ALWAYS SUPPORTED THE
5 INDEPENDENT BOARD WITH A PUBLIC FORUM SO THAT WE CAN
6 GET SOME OF THIS KEY TESTIMONY AND PUBLIC INFORMATION
7 OUT THERE.

8 AS PART OF TODAY'S CONTRACT CONCEPTS THAT
9 WERE NOT BEING RECOMMENDED TO BE FUNDED, AND IN LINE
10 WITH THE STRATEGIC PLAN OF THE WASTE BOARD OF PUTTING
11 ORGANICS FIRST, WE'D HIGHLY RECOMMEND FOR 1998-99 TO
12 FUND AND IMPLEMENT THE MODEL WASTE DIVERSION AND
13 COMPOST PROGRAM FOR 40,000, THE MODEL GREEN BUILDING
14 PROGRAM FOR 25,000, THE NO. 9, THE DEVELOPMENT OF ODOR
15 STANDARDS IN ACCORDANCE WITH SB 675 FOR 80,000,
16 ALTERNATIVE COVERS ASSESSMENT PROGRAM FOR 15,000, AND
17 THE COMMERCIAL FOOD WASTE PARTNERSHIP FOR 40,000.
18 TOGETHER THAT'S ONLY \$200,000, AND ALL THOSE PROGRAMS
19 ARE IN LINE WITH THE STRATEGIC PLAN.

20 I BELIEVE THAT CONCEPT NO. 9 AND CONCEPT
21 NO. 10 ARE DISTINCT, VERY DISTINCT. CONCEPT NO. 9 IS
22 SB 675 IMPLEMENTATION.

23 BOARD MEMBER EATON: EXCUSE ME. WAS THAT
24 DISTINCT OR STINK?

25 MR. EDGAR: BOTH.



1 BOARD MEMBER EATON: I NOTICED A NEW HAIRDO.
2 I JUST WANTED TO MAKE SURE.
3 MR. EDGAR: SO WITH REGARDS TO 675, THAT
4 ACTUALLY GOES BACK ALMOST TWO AND A HALF YEARS AGO WITH
5 AB 59. AB 59 THAT ACTUALLY PUT THE AUTHORITY OF ODOR
6 CONTROL UNDER THE LEA PROGRAM AND TOOK IT AWAY FROM
7 APCD. I SERIOUSLY DOUBT APCD OR CARB WILL HAVE ANY
8 TYPE OF CO-FUNDING GIVEN THE FACT THAT THEIR AUTHORITY
9 WAS TAKEN AWAY FROM THEM AND PUT UNDER THE LEA PROGRAM
10 FOR ENFORCEMENT AND PERMIT STREAMLINING, A VERY VALID
11 POLICY THAT WE SUPPORTED, AND WE BELIEVE SB 675 NEEDS
12 TO BE FUNDED AND IMPLEMENTED IN '98-'99.
13 WITH REGARDS NO. 10, THAT'S FOR
14 BIOAEROSOL, WHICH IS ASPERGILLUS. AND ASPERGILLUS IS
15 ANOTHER CONCERN FROM COMPOST FACILITIES STATEWIDE THAT
16 ACTUALLY LED TO SOME CLOSURE OF FACILITIES IN SAN JOSE
17 AND LED SOME FACILITIES IN VENTURA COUNTY NOT TO BE
18 PERMITTED BECAUSE OF THE SCARE OF ASPERGILLUS. AND WE
19 FEEL WITHIN THE COMPOST INDUSTRY THAT WE CAN MITIGATE
20 IT. IT'S PRESENT IN EVERY COMMUNITY, IN THE FOREST,
21 AND IN THIS ROOM TODAY. SO I BELIEVE THAT BIOAEROSOL
22 IS A KEY SUBJECT THAT NEEDS TO BE STUDIED, AND WE WOULD
23 SUPPORT THE CONTINUAL FUNDING OF NO. 10 AS WELL.
24 I BELIEVE THESE PROGRAMS ARE IN LINE WITH
25 THE STRATEGIC PLAN, AND TOMORROW I'LL BE TALKING ABOUT



1 THE ORGANIC INDUSTRY AND HOW WE WILL BE SUPPORTING
2 THOSE CONCEPTS.
3 THE SECOND PART OF MY LETTER TODAY IS
4 ABOUT CONCEPT 13, ABOUT THE HALF A MILLION DOLLARS FOR
5 THE WASTE CHARACTERIZATION STUDY THAT CENTRALIZES
6 EARMARKED FUNDING FROM DOE. I REALIZE THAT IT'S A LINE
7 ITEM PER SE, AND THAT THERE'S A BIG JOB STATEWIDE TO DO
8 THAT. I BELIEVE THAT \$500,000 CAN BE STRETCHED EVEN
9 FURTHER. I BELIEVE THAT ONLY TEN LANDFILLS STATEWIDE
10 WON'T DO THE JOB. I THINK IT'S A BIGGER JOB IN THAT IF
11 YOU WANT TO GO A GOOD JOB.
12 I BELIEVE THAT \$500,000 COULD BE
13 LEVERAGED EVEN FURTHER TO COVER THE STATEWIDE,
14 ESPECIALLY WHEN TARGETING RPPC'S. I WENT TO THE SAN
15 DIEGO CONFERENCE OF CRRA WHERE WE WERE BUILDING BRIDGES
16 WITH PLASTIC INDUSTRY, WHOEVER THEY ARE. BUT THE
17 PLASTIC INDUSTRY WOULD LOVE TO STEP UP AND HELP FUND.
18 BOARD MEMBER CHESBRO: I THINK THAT WAS AN
19 INSIDE JOKE.
20 MR. EDGAR: I BELIEVE THE PLASTIC INDUSTRY,
21 BETTER KNOWN AS APC, WOULD -- HAS GONE ON RECORD IN THE
22 PAST OF WANTING TO SUPPORT THE WASTE CHARACTERIZATION
23 OF RPPC'S. I BELIEVE THAT THEY COULD HAVE MATCH
24 FUNDING WHICH IS KEY HERE TO STRETCH THESE DOLLARS EVEN
25 FURTHER.



1 ANOTHER ASPECT OF STRETCHING THESE
2 DOLLARS IS ON THE 25-PERCENT MANDATED ENFORCEMENT. I
3 BELIEVE I'VE SEEN -- I COULDN'T FIND IT IN STATUTE OR
4 REGULATIONS OR POLICY, BUT I KNOW THAT AS PART OF THE
5 ANNUAL REPORT, THERE'S A MECHANISM TO HAVE A NEW WASTE
6 GENERATION STUDY. AND I REFERENCE TITLE 14, SECTION
7 18722(D) WHEREBY THE JURISDICTION NEEDS TO REVISE ITS
8 SOLID WASTE GENERATION STUDY ON A ROUTINE BASIS. WHY
9 NOT MAKE THAT PART OF THE 25-PERCENT MANDATE? IF YOU
10 CAN'T MAKE THE 25-PERCENT MANDATED GOAL, THOSE
11 COMMUNITIES SHOULD GO BACK INTO THE WASTESTREAM TO FIND
12 OUT WAYS TO GET TO 50 PERCENT AND 25 PERCENT BY FINDING
13 WHAT'S INSIDE OF THERE.
14 I BELIEVE IN THE UPCOMING HEARINGS ON
15 25-PERCENT MANDATED ENFORCEMENT, THOSE JURISDICTIONS
16 THAT ARE NOT MEETING THE MANDATE SHOULD BE GIVEN THE
17 TOOLS AND INFORMATION THEY NEED TO FIND OUT WHAT'S IN
18 THE WASTESTREAM TO MAKE IT. I BELIEVE SOME OF THIS
19 MONEY COULD BE STRETCHED FURTHER BY HAVING MATCH
20 FUNDING IN THOSE COMMUNITIES IN ORDER TO GET THE
21 INFORMATION THIS WASTE BOARD NEEDS IN ORDER TO GET THE
22 DATA ON A STATEWIDE BASIS.
23 BACK IN THE EARLY '90S, I WAS INVOLVED
24 WITH MANY WASTE GENERATION STUDIES, AND AT THE TIME
25 THEY WERE SCATTERED, WE HAD POOR BASE YEAR, WE DIDN'T



1 HAVE A CONSISTENT METHOD, BUT NOW IT'S 1998. I BELIEVE
2 THE WASTE BOARD STAFF HAS WORKED HARD ON DEVELOPING A
3 WASTE CHARACTERIZATION PROCESS THAT HAS SOME
4 CREDIBILITY. I BELIEVE THAT NOW IS THE TIME TO TAKE A
5 LOOK AT THE WASTESTREAM FOR THE YEAR 2000. I BELIEVE A
6 HALF A MILLION DOLLARS IS A GOOD START, BUT I THINK WE
7 CAN DO MORE WITH IT WITH GOING FOR SOME MATCHED
8 FUNDING. I WOULD SUPPORT THAT CONCEPT AS PART OF THE
9 25-PERCENT MANDATED ENFORCEMENT UPCOMING.
10 THANK YOU FOR THE OPPORTUNITY TO COMMENT
11 TODAY. I'LL BE HERE FOR THE REST OF THE DAY AND
12 TOMORROW TO PROVIDE COMMENTS ON THE STRATEGIC PLAN.
13 THANK YOU.

14 CHAIRMAN PENNINGTON: ANY QUESTIONS OF MR.
15 EDGAR? I WAS WONDERING SINCE YOU OFFERED UP APC MONEY,
16 I WONDERED IF YOU'D OFFER UP SOME CRRC MONEY.

17 MR. EDGAR: GOOD QUESTION. WE HAVE
18 PARTICIPATED WITH VOLUNTEER SITES WITH APC BACK IN
19 1994-95 WHEN THE LAST STUDY WAS DONE, AND THEY RANDOMLY
20 SELECTED SITES THROUGHOUT CALIFORNIA, AND WE DID
21 VOLUNTEER OUR SITES FOR ADDITIONAL WASTE
22 CHARACTERIZATION. BUT WE FEEL THAT A LOT OF OUR SITES,
23 WE DO PAY THE BOARD OF EQUALIZATION AS PART OF THE
24 TONNAGE, AND WE BELIEVE THAT OUR BOE CONTRIBUTION THAT
25 WE COLLECT AT THE GATE, THE HALF MILLION DOLLARS, IS



1 OUR IN-KIND CONTRIBUTION AS WELL. THANK YOU.

2 BOARD MEMBER CHESBRO: HAD TO TALK A COUPLE
3 MINUTES FOR THAT ONE TO COME UP. FINALLY CAME.

4 CHAIRMAN PENNINGTON: MOVING ON TO THE NEXT
5 FUNDING ACCOUNT.

6 BOARD MEMBER EATON: WE HAVE A COUPLE JUST
7 QUESTIONS. ON CONCEPT NO. 12, ON PAGE 9-26 OF MY
8 CONCEPT SHEET, THE MIDDLE BOX TALKS ABOUT BENEFIT TO
9 THE BOARD, PROS AND CONS, ETC. THERE ARE TWO ITEMS.
10 THEY'RE NOT MARKED TWO AND THREE, BUT THE SECOND ONE
11 WOULD BE SAMPLING AND ANALYSIS OF CLOSED, ILLEGAL, AND
12 ABANDONED SITES. DO WE CURRENTLY DO ANY OF THAT WORK
13 NOW? DO YOU KNOW?

14 MS. RICE: YES, WE DO. THIS IS PRIMARILY LAB
15 SUPPORT FOR THE CLEANUP PROGRAMS, BE IT 2136, WHICH
16 SOUNDS LIKE WHAT YOU'RE REFERENCING, OR TIRES, SHOULD
17 IT NEED TO HAPPEN, OR ASH OR WHATEVER.

18 BOARD MEMBER EATON: SO WHY THEN COULDN'T WE
19 FUND THIS OUT OF 2136 MONEY AND NOT OUR GENERAL FUND
20 IWMA? THAT'S NOT YOUR QUESTION. BUT -- AND THE SAME
21 QUESTION GOES FOR RECYCLED-CONTENT PRODUCTS WHERE WE'VE
22 GOT RMDZ. WHY ARE WE GOING INTO OUR GENERAL FUND MONEY
23 TO FUND THESE WHEN WE HAVE THE MONIES AVAILABLE, AND IN
24 SOME CASES EXTRA MONEY IN THESE OTHER PROGRAMS.
25 WHERE WE'RE ATTACKING OUR GENERAL FUND,



1 IT SEEMS TO ME THAT WE SHOULD BE TRYING TO LOOK AT
2 WHERE WE CAN EITHER WRITE THESE INTO OUR CONTRACTS AS
3 PART OF WHAT WE DO WITH THE CLEANUP AND GET SOME OF
4 THIS INFORMATION. IT'S A MONEY MANAGEMENT SITUATION.
5 SO IT'S NOTHING WITH THE CONCEPT AS TO WHAT WE'RE
6 PROPOSING TO DO, BUT IT'S HOW WE FUND IT AND WHAT IS
7 THE MOST ADVANTAGEOUS TO THE ORGANIZATION IN TERMS OF
8 MAXIMIZING OUR DOLLARS AND NOT GOING INTO OUR GENERAL
9 FUND WHERE WE ALWAYS HAVE THE PROBLEM OF BEING ABLE TO
10 USE DISCRETIONARY FUNDS BECAUSE THERE'S NEVER ENOUGH OF
11 IT FOR WHAT WE NEED TO DO. MR. JONES HAS ONE TOO.

12 MS. FISH: YOU KNOW, WHEN THE FUNDS ARE
13 CREATED, THE USES ARE SET IN STATUTE. WE COULD GO BACK
14 AND SEE IF THESE AREAS, BASICALLY THE STATUTE WOULD
15 ALLOW FOR THIS BROADENING OF THE USAGE. AND WHETHER OR
16 NOT THAT'S SO, I DON'T KNOW, BUT I WOULD LOOK AT THAT.

17 MS. RICE: I KNOW IN TERMS OF THE 2136 FUND,
18 THINK THE LIMITATION IS THE ADMINISTRATIVE CAP, WHICH
19 WE ALREADY EXCEED ON AN ANNUAL BASIS. THE STATUTE SETS
20 OUT HOW MUCH CAN BE SPENT ON ADMINISTERING THE PROGRAM,
21 AND I ASSUME LAB SERVICES WOULD COUNT AS PART OF
22 ADMINISTERING THE PROGRAM RATHER THAN DIRECT CLEANUP.
23 AS KARIN SAID, IT COULD CERTAINLY BE INVESTIGATED
24 WHETHER YOU COULD SPLIT FUND IT IN THAT WAY.

25 BOARD MEMBER EATON: BUT AS A CONDITION OF THE



1 CONTRACT FOR AWARDING THE GRANT, THAT'S NOT
2 ADMINISTRATIVE. IT'S PART OF THE TERM OF THE CONTRACT,
3 EITHER A LOAN, A GRANT, OR A MATCH.

4 MS. RICE: RIGHT. SO THIS IS JUST GENERAL
5 SUPPORT FOR THE PROGRAM RATHER THAN WITHIN EACH
6 INDIVIDUAL CLEANUP PROVIDING FOR LAB SERVICES,
7 CORRECT. THIS IS A GENERAL SUPPORT CONTRACT THAT
8 SUPPORTS ALL OF THE P&E DIVISION PROGRAMS AND ALL OF
9 THE MARKET DEVELOPMENT DIVISION PROGRAMS. SO IT IS
10 GENERIC IN NATURE AND CAN BE USED FOR ANY NEEDED LAB
11 SERVICES THAT MAY COME UP.

12 MS. TRGOVCICH: AS REGARDS TO THE LOAN
13 PROGRAM, WE WOULD LOVE TO BE ABLE TO ACCESS THE
14 SUBACCOUNT FOR MORE THAN JUST DIRECT LOAN RELATED
15 ACTIVITY, BUT THERE'S A STATUTORY PROHIBITION WHICH
16 LIMITS THE USE OF THE SUBACCOUNT FUNDS TO THOSE
17 ACTIVITIES DIRECTLY RELATED TO THE LOAN, THE LOAN
18 MAKING, LOAN DISBURSEMENT PROCESS. SO WE HAVE THAT
19 LIMITATION AROUND THE LOAN PROGRAM.

20 THAT'S ONE OF THE REASONS WHY WE CAME TO
21 THE BOARD IN JANUARY WITH WHAT WE CALLED THE ZONE
22 INCENTIVES ITEM, AND THAT INCLUDED INCENTIVES THAT
23 COULD NOT BE FUNDED OUT OF THE SUBACCOUNT BECAUSE OF
24 THE STATUTORY LIMITATION.

25 BOARD MEMBER JONES: MR. CHAIRMAN, COUPLE OF



1 QUESTIONS. WE'VE GOTTEN THROUGH AN AWFUL LOT OF EFFORT
2 BY A FEW PEOPLE AROUND HERE AN EXTRA \$4 MILLION IN OUR
3 BUDGET, IF IT GETS SIGNED, THAT IS GOING TO GO TO
4 MARKET DEVELOPMENT. I SEE SOME ISSUES HERE THAT WE'RE
5 LOOKING AT FROM THE IWMA FUNDING ACCOUNT, THAT IT WOULD
6 SEEM TO ME WOULD FALL IN VERY NICELY INTO MARKET
7 DEVELOPMENT. WHETHER WE NEED TO INCREASE THE VERBIAGE
8 ON SOME OF THESE CONCEPTS TO MAKE SURE THAT WE'RE
9 IDENTIFYING EXACTLY WHAT OUR -- WHAT WE'RE TRYING TO
10 DO. BUT I MEAN LIKE OUR TECHNICAL ASSISTANCE FOR C&D
11 WASTE FOR 50 GRAND, THAT'S ONE THAT WE'RE TRYING TO
12 GENERATE MARKETS IN C&D, AND WE'RE GOING TO OFFER THAT
13 TECHNICAL ASSISTANCE. TO ME, THAT'S A PRIME CANDIDATE
14 FOR PART OF THAT \$4 MILLION, AND ACTUALLY I THINK COULD
15 EVEN BE ENHANCED A LITTLE BIT BECAUSE IT'S SO
16 DRAMATIC.
17 I DON'T KNOW ABOUT THE WRAP OR THE CALMAX
18 AWARDS, IF WE'D WANT TO TAKE THOSE OUT OF HERE AND DO
19 THEM OUT OF MARKET DEVELOPMENT. I MEAN BUT CLEARLY THE
20 MODEL GREEN BUILDING PROGRAM COULD BE FUNDED AS A
21 MARKET DEVELOPMENT PROGRAM BECAUSE THAT'S HUGE FOR WHAT
22 WE COULD -- WHAT WE COULD DEAL WITH.
23 THE -- YOU KNOW, A COUPLE OF OTHER ONES,
24 THE FOOD WASTE PARTNERSHIP, THOSE TYPES OF THINGS, BUT
25 I MEAN IF WE LOOKED AT THIS, AND I DON'T KNOW HOW THE



1 OTHER BOARD MEMBERS FEEL, BUT MAYBE IF WE LOOK AT THESE
2 CONCEPTS AND FIGURED OUT WHICH ONES TRULY ARE MARKET
3 DEVELOPMENT ISSUES THAT SUPPORT MARKET DEVELOPMENT AND
4 SUPPORT WHAT WE'RE TRYING TO DO AND THE FACT THAT WE
5 HAVE THAT \$4 MILLION TO HELP ASSIST US IN DEVELOPING
6 MARKETS, THAT MAYBE WE WOULD FIND THAT WE COULD FUND.
7 AND THE SAME THING, I AGREE WITH MR.
8 EATON, AND I DON'T KNOW IF THE LAB ONE IS USED BY
9 RMDZ -- NOT BY RMDZ -- BY 2136 AND REIMBURSED OR IF
10 IT'S JUST THERE SO THAT THEY CAN DO THAT. BUT, YOU
11]. KNOW, IF A LOT OF THAT WORK IS BEING DONE UNDER 2136,
12 IF THERE'S A WAY, THEN MAYBE SOME OF THE FUNDING COMES
13 OUT OF 2136 TO HELP SUPPORT THAT. I THINK IT'S GOING
14 TO GIVE US A LOT BETTER' CHANCE TO FREE UP SOME MONEY
15 FOR SPONSORSHIPS, YOU KNOW, AND, YOU KNOW, WE'VE GOT
16 SOME ISSUES THAT WE NEED TO TAKE CARE OF, AND MAYBE THE
17 TIME TO DO THIS -- I MEAN WE DON'T HAVE TO HAVE THESE
18 THINGS IN CONCRETE BY JUNE -- BY THIS JUNE BOARD
19 MEETING, DO WE?

20 MR. CHANDLER: NO. I THINK WE WERE
21 FOLLOWING --

22 BOARD MEMBER JONES: I THINK IT'S GREAT THAT
23 THEY'RE IN FRONT OF US NOW AS OPPOSED TO DECEMBER.

24 MR. CHANDLER: THE DEVELOPMENT WITHIN THE
25 BUDGET PROCESS THAT RESULTED IN POSSIBLY SEEING AN



1 EXPANSION OF OUR EXPENDITURE AUTHORITY BY VIRTUE OF
2 DOLLARS MADE ELIGIBLE THROUGH THE SUBACCOUNT, AS YOU
3 KNOW, IS A FAIRLY RECENT DEVELOPMENT. AND I'VE ASKED
4 FOR STAFF TO GET TOGETHER, I BELIEVE THE FIRST MEETING
5 IS TOMORROW, TO BEGIN LOOKING AT THE ISSUE THAT YOU ARE
6 RAISING, WHICH IS ARE THERE ITEMS THAT ARE ON THE
7 INTEGRATED WASTE MANAGEMENT ACCOUNT FUNDING REQUEST NOW
8 THAT COULD BE MORE APPROPRIATELY PLACED INTO THAT OTHER
9 BROADER CATEGORY.

10 50 WE'LL CERTAINLY BE LOOKING AT THAT AND
11 PROBABLY BE IN A POSITION WHEN WE BRING THIS ITEM BACK,
12 I BELIEVE IT WAS THE COMMITTEE'S DIRECTION THAT WE
13 BRING THIS ITEM BACK IN JUNE FOR MORE DISCUSSION AND
14 DELIBERATION, THAT WE COULD HAVE AT THAT TIME SOME
15 RECOMMENDATIONS ON WHERE WE COULD SEE THIS FUNDING GO
16 AND HOPEFULLY KNOW A LITTLE BIT BETTER PICTURE OF WHERE
17 OUR BUDGET STANDS.

18 BOARD MEMBER JONES: I THINK IT'S CRITICAL
19 BECAUSE I THINK THE ODOR STANDARDS, I MEAN CONSIDERING
20 THAT SO MUCH WORK WAS DONE ON AB 59 TO GET THAT -- THE
21 ENFORCEMENT OF THOSE ODOR ISSUES INTO THE LEA'S AND THE
22 BOARD, THAT IF WE DON'T HAVE STANDARDS THAT THEY KNOW
23 WHAT THEY'RE ENFORCING DOESN'T MAKE A LOT OF SENSE. SO
24 I THINK, YOU KNOW, ANYTHING WE CAN DO TO FREE UP THOSE
25 DOLLARS WOULD MAKE SENSE. I THINK A LOT OF THE



1 SPONSORSHIPS WE DO ARE DEFINITELY MARKET DEVELOPMENT
2 DRIVEN. SOME OF THEM, ANYWAY.

3 BOARD MEMBER EATON: I THINK THE ISSUE IS IF
4 WE CAN JUST ASK STAFF IF YOU THINK OF WAYS THAT SOME OF
5 THIS STUFF CAN BE FUNDED FROM DIFFERENT POTS WITHIN THE
6 CONSTRAINTS THAT WE HAVE, AND I THINK THAT WITH OUR
7 GOOD LEGAL COUNSEL, AS ANY GOOD LEGAL COUNSEL CAN DO,
8 THEY CAN ALWAYS MAKE THINGS WORK. AND, YOU KNOW, YOU
9 NEVER KNOW TILL YOU TEST IT IS HOW I ALWAYS LOOK AT IT
10 BECAUSE WE'RE DOING A LOT OF TESTING AROUND HERE. SO
11 THIS IS JUST ANOTHER WAY TO KIND OF, I THINK, YOU KNOW,
12 FREE UP, AND THAT'S WHAT WE NEED TO DO TO BE FISCALLY
13 RESPONSIBLE IS BECAUSE WE DO HAVE A GENERAL FUND. THAT
14 IS REALLY THE ONE THING THAT WE NEED TO KIND OF SEE HOW
15 WE CAN ENHANCE. A LOT OF THESE ARE GREAT IDEAS AND
16 GREAT PROJECTS, BUT WE OUGHT TO HAVE SOME OF THE
17 INDIVIDUALS WHO BENEFIT BY THEM PAY FOR THEM AS A
18 CONDITION THEREOF, AND THAT'S NOT UNREASONABLE, AND
19 THAT'S JUST KIND OF HOW THINGS WORK.

20 MS. FISH: WOULD IT HELP MAYBE IF WE HAD TWO
21 RECOMMENDATIONS, ONE BASED ON RECEIVING THE 4 MILLION
22 AND ONE BASED ON NOT SINCE WE -- IT'S KIND OF HARD TO
23 DETERMINE. AND I THINK WE'RE WORRIED THAT IF WE DON'T
24 GET IT, THEN, YOU KNOW, IT'S ONE SCENARIO; AND IF WE
25 DO, THEN IT'S A DIFFERENT. AT THIS POINT IN TIME WE



1 DON'T KNOW.

2 BOARD MEMBER EATON: I THINK TWO ISSUES.
3 THAT'S A SEPARATE ISSUE AS A CONTINGENCY. I'M SAYING
4 WITH WHAT WE HAVE, WHAT ARE THE WAYS WE CAN FUND THESE
5 KINDS OF CONCEPTS WITHIN -- OTHER THAN COMING OUT OF
6 WHAT I'VE HEARD WAS OUR GENERAL FUND. I MEAN ARE THERE
7 WAYS THAT WE CAN PIGGYBACK, AND THOSE ARE THE KINDS OF
8 OPTIONS THAT I THINK NEED TO BE PRESSED BECAUSE
9 OBVIOUSLY -- WHEN DO WE USE THE LAB RESULTS FOR
10 ABANDONED DUMP SITES, IF NOT FOR -- I MEAN FOR THESE
11 SITES THEMSELVES. I MEAN IT'S KIND OF TIED TO THE
12 LAND, WHICH WE'RE TRYING TO DO THIS WORK. SO IF THAT'S
13 THE CASE, IT SEEMS TO ME COMPLETELY LEGITIMATE WITHIN
14 THE STATUTE, AND I WON'T SAY COVENANT THAT RUNS WITH
15 THE LAND, BUT IT SEEMS THAT THAT'S WHAT WE'RE DOING
16 UNLESS I'M MISSING SOMETHING AND WE'RE TRYING TO
17 DEVELOP A WHOLE OVERALL KIND OF LAB TEST. IS IT THAT
18 WE'RE DEVELOPING A LAB TEST TO GO OUT AND SEE WHICH
19 SITES WE'RE GOING TO DO?

20 MS. RICE: NO. THIS IS, AGAIN, A GENERAL
21 CONTRACT. AND I THINK IN JUNE WHEN WE COME BACK, I'LL
22 MAKE SURE WE PROVIDE YOU MORE INFORMATION ON THE WAYS
23 IN WHICH THE CONTRACT HAS BEEN USED IN THE PAST. THIS
24 IS NOT A NEW CONCEPT. THE BOARD HAS GENERALLY TRIED TO
25 HAVE A LAB SERVICES CONTRACT IN PLACE EVEN PRIOR TO THE



1 EXISTENCE OF THE 2136 PROGRAM FOR NEEDS THAT MAY ARISE
2 WITH EMERGENCIES, MINIMUM CONTENT PROGRAMS, ANY NUMBER
3 OF THINGS. SO THE USES HAVE BEEN VERY VARIED.
4 SO WHAT I THINK CAREN AND I WOULD LIKE TO
5 DO IS COME BACK TO YOU WITH INFORMATION ON WHAT ARE THE
6 SORTS OF SERVICES THAT THE LAB SERVICES CONTRACT IS
7 INTENDED TO PROVIDE, WHAT PERCENTAGE IS 2136, AND IS
8 THERE AN APPROPRIATE MECHANISM TO FUND PART OF IT FROM
9 THAT. PART OF IT IS TIRES, I WOULD IMAGINE. I ASSUME
10 THAT A CONTRACT LIKE THIS WOULD COME IN VERY HANDY WHEN
11 YOU HAVE A TIRE FIRE LIKE THE CHOPPERENA FIRE WHICH WAS
12 TOTALLY UNANTICIPATED AND YET WE'RE CALLED IN TO
13 PROVIDE EMERGENCY SERVICES. AND HAVING LAB
14 CAPABILITIES IS VERY HELPFUL TO FOLKS. SO IT'S THAT
15 KIND OF UNKNOWN THAT THE CONTRACT ASSISTS WITH, SO
16 WE'LL TRY TO QUANTIFY THAT FOR YOU A LITTLE BETTER.
17 IT'S DEFINITELY NOT JUST A SUPPORT FOR THE 2136 PROGRAM
18 BY ANY MEANS.

19 CHAIRMAN PENNINGTON: OKAY. ANY ADDITIONAL
20 QUESTIONS? MOVE ON TO THE NEXT FUND. DO WE HAVE ANY
21 QUESTIONS?

22 MS. FISH: SO IN THE USED OIL ARE THERE ANY
23 QUESTIONS RELATED TO THE CONCEPT PRESENTED THERE?

24 CHAIRMAN PENNINGTON: DOESN'T SEEM TO BE.

25 BOARD MEMBER JONES: THERE WAS ONE CONCEPT PUT



1 FORWARD AND NO RECOMMENDATION, RIGHT? SO YOU ARE NOT
2 RECOMMENDING THAT THEY DO. YOU THINK THE OIL COMPANIES
3 CAN STUDY THE INDUSTRIAL OIL MARKET? THAT WORKS FOR
4 ME. I DON'T HAVE A PROBLEM WITH THAT.

5 CHAIRMAN PENNINGTON: USED OIL FUNDS, ANY
6 QUESTIONS ON THAT ONE? TIRE RECYCLING FUND.

7 BOARD MEMBER JONES: WE DID THAT ONE, DIDN'T
8 WE?

9 CHAIRMAN PENNINGTON: RMDZ. 2136. MOVE ON TO
10 ITEM 25 THEN, I GUESS.

11 MOVING ON TO ITEM 25, CONSIDERATION OF
12 STAFF RECOMMENDATION ON THE BIENNIAL REVIEW FINDINGS
13 FOR SOURCE REDUCTION AND RECYCLING ELEMENTS FOR
14 JURISDICTIONS. JUDY FRIEDMAN.

15 BOARD MEMBER CHESBRO: MR. CHAIRMAN, WHILE
16 THEY'RE COMING UP, LET ME DO AN EX PARTE -- DECLARE AN
17 EX PARTE COMMUNICATION WITH LIZ CITRINO, REPRESENTING
18 COUNTY OF HUMBOLDT, WHO, IN FACT, HAD HOPED TO BE IN
19 HERE TO COMMENT WITH THE BOARD -- IN THE BOARD MEETING
20 TO COMMENT ON THE HUMBOLDT COUNTY BIENNIAL REPORTS.
21 HOWEVER, SHE'S IN THE MEETING OF THE LOCAL GOVERNMENT
22 TECHNICAL ADVISORY COMMITTEE, BUT SHE DID TALK TO ME
23 ABOUT THAT PARTICULAR ITEM AND WAS HAPPY THAT WE WERE
24 ACTING ON THOSE.

25 CHAIRMAN PENNINGTON: VERY GOOD. THANK YOU,



1 MR. CHESBRO. JUDY FRIEDMAN.
2 MS. FRIEDMAN: SURJIT, ARE YOU READY? GOOD
3 AFTERNOON, CHAIRMAN PENNINGTON. FOR THE RECORD, I AM
4 JUDY FREIDMAN, DEPUTY DIRECTOR FOR THE DIVERSION,
5 PLANNING AND LOCAL ASSISTANCE DIVISION, AND I'M GOING
6 TO DO AN INTRODUCTION TO ITEM 25 AND 26. AND THIS
7 PRESENTATION WILL COVER BOTH ITEMS.
8 THIS IS THE BOARD'S FIRST BIENNIAL REVIEW
9 OF JURISDICTIONS' PROGRESS IN IMPLEMENTING THEIR PLANS
10 TO ACHIEVE THE DIVERSION MANDATES OF AB 939. AND IT IS
11 REQUIRED FOR THE IMPLEMENTATION OF THE SOURCE REDUCTION
12 AND RECYCLING ELEMENTS AND THE HOUSEHOLD HAZARDOUS
13 WASTE ELEMENTS. AND AS I SAID BEFORE, THIS
14 PRESENTATION WILL COVER' BOTH ITEMS.
15 UPON COMPLETION OF COMPLIANCE WITH THE
16 PLANNING REQUIREMENTS, THE BOARD DIRECTED STAFF TO
17 COMMENCE LOOKING AT IMPLEMENTATION COMPLIANCE. THE
18 MECHANISM FOR THIS IS THE BIENNIAL REVIEW PROCESS.
19 SOME OF YOU MAY ASK WHY ARE WE NOW IN THE PROCESS OF
20 DOING A BIENNIAL REVIEW OF ACHIEVEMENT OF THE
21 25-PERCENT MANDATE? AFTER ALL, THE GOAL YEAR WAS
22 1995. THAT IS CORRECT; HOWEVER, THE PLANS WERE NOT DUE
23 TO THE BOARD UNTIL THE END OF 1994.
24 FROM THE END OF 1994 UNTIL MARCH OF '96,
25 STAFF WORKED WITH JURISDICTIONS, WROTE, CALLED, MET



1 WITH THEM TO COMPLETE THEIR SOURCE REDUCTION AND
2 RECYCLING ELEMENTS AND NONDISPOSAL FACILITY ELEMENTS
3 WHICH HAD NOT BEEN SUBMITTED.
4 IN MARCH OF 1996, THE BOARD INITIATED
5 MORE FORMAL COMPLIANCE ACTIONS BY ADOPTING THE
6 SO-CALLED STEPWISE APPROACH TO ACHIEVING COMPLIANCE
7 WITH THE PLANNING REQUIREMENTS OF 939. THERE WERE WELL
8 OVER 160 OUTSTANDING SOURCE REDUCTION AND RECYCLING
9 ELEMENTS AND NONDISPOSAL FACILITY ELEMENTS AT THIS
10 TIME.
11 IN APRIL OF 1997, COMPLIANCE ACTIONS BY
12 THE BOARD CONTINUED TO BE RATCHETED UP, AND
13 JURISDICTIONS WHO HAD STILL OUTSTANDING ELEMENTS WERE
14 PUT ON NOTICE THAT THEY HAD TO SUBMIT AND ADHERE TO
15 THEIR OWN COMPLIANCE SCHEDULES OR THEY WOULD BE SUBJECT
16 TO BOARD CONSIDERATION OF ENFORCEMENT OPTIONS,
17 INCLUDING FINES.
18 BY DECEMBER OF 1997, THERE WERE ONLY A
19 HANDFUL OF JURISDICTIONS THAT WERE IN THAT SITUATION,
20 AND THEY WERE SCHEDULED FOR ENFORCEMENT HEARINGS. IN
21 JANUARY OF 1998, THE BOARD FOUND FOUR JURISDICTIONS OUT
22 OF COMPLIANCE WITH THE PLANNING REQUIREMENTS IN 939 AND
23 TOOK ENFORCEMENT ACTIONS, INCLUDING FINES. AND THIS
24 BRINGS US TO TODAY AND THE START OF THE BIENNIAL
25 REVIEW.



1 THE BIENNIAL REVIEW IS BASED UPON HAVING
2 TWO YEARS OF ANNUAL REPORTS FROM THE JURISDICTIONS.
3 THERE WERE MANY JURISDICTIONS THAT DIDN'T EVEN HAVE
4 THEIR PLANS COMPLETED IN 1994, '95, '96, AND EVEN '97
5 AND THUS HADN'T SUBMITTED ANNUAL REPORTS. IN FACT, WE
6 STILL HAVE OUTSTANDING ANNUAL REPORTS DUE FROM 1995,
7 '96, AND '97; HOWEVER, IT IS OUR PLAN TO HAVE ALL
8 BIENNIAL REVIEWS COMPLETED BY THE END OF THIS YEAR.
9 PLEASE NOTE THAT DURING THE YEARS FROM
10 THE TIME THAT THE FINAL PLANS WERE DUE UNTIL NOW, MANY,
11 MANY ACTIVITIES HAVE OCCURRED, INCLUDING THE
12 DEVELOPMENT AND DISSEMINATION OF NUMEROUS BOARD
13 POLICIES AND REGULATIONS, MODELS, TOOLS, AND DATABASES
14 CONCERNING EVERYTHING FROM PETITIONS FOR REDUCTION TO
15 BASE (EAR CORRECTIONS TO ENFORCEMENT POLICIES. WE'VE
16 REVIEWED AND APPROVED NEARLY 1700 LOCAL PLANNING
17 ELEMENTS, AND NOT LEAST OF ALL, WE'VE PROVIDED
18 CONTINUOUS TECHNICAL AND PROCEDURAL ASSISTANCE TO LOCAL
19 JURISDICTIONS AS THEY HAVE EMBARKED ON THEIR WHAT I'M
20 CALLING AB 939 ODYSSEY.
21 SO WHAT ARE THE IMPLICATIONS FOR FUTURE
22 BIENNIAL REVIEWS? SEVERAL POINTS MUST BE NOTED.
23 FIRST, SB 1066, WHICH PASSED LAST YEAR, ALLOWS
24 JURISDICTIONS TO MAKE MULTIPLE YEAR TIME EXTENSIONS AND
25 REDUCTIONS TO ACHIEVE 50 PERCENT BY THE YEAR 2006.



1 SECOND, IT IS IMPORTANT TO REMEMBER THAT
2 GOAL MEASUREMENT OCCURS THROUGHOUT THE GAL YEAR; THAT
3 IS, ALL OF YEAR 2000.
4 THIRD, THE NEXT GOAL YEAR BIENNIAL REVIEW
5 DOES NOT COMMENCE UNTIL THE YEAR 2001 FOLLOWING THE
6 SUBMITTAL OF ANNUAL REPORTS IN AUGUST. HOWEVER, WE
7 HAVE BEEN LEARNING FROM OUR FIRST ROUND OF BIENNIALS,
8 AND WE ARE WORKING ON STREAMLINING PROCESSES TO
9 EXPEDITE FUTURE BIENNIAL REVIEWS.
10 GIVEN ALL OF THE ABOVE, THESE REVIEWS
11 WOULD NOT BE COMPLETE UNTIL SOMETIME IN THE YEAR 2001.
12 THAT'S SOME CONTEXT I WANTED TO PRESENT TO YOU. WITH
13 THAT, I'M GOING TO TURN THE PRESENTATION OVER TO
14 LORRAINE VAN KEKERIX AND SURJIT DHILLON.

15 MS. VAN KEKERIX: GOOD AFTERNOON. AS JUDY
16 SAID, WE HAVE PROPOSED A NUMBER OF BOARD POLICIES WHICH
17 THE BOARD HAS CONSIDERED AND ADOPTED OVER THE YEARS
18 REGARDING HOW WE WERE GOING TO LOOK AT JURISDICTIONS
19 WHEN WE PERFORM THE BIENNIAL REVIEWS. PROBABLY ONE OF
20 THE PRIMARY POLICIES RELATED TO THAT IS CIWMP
21 ENFORCEMENT PART 2 THAT WAS APPROVED BY THE BOARD IN
22 FEBRUARY 1995. LAST YEAR, IN 1066, IT WAS INCORPORATED
23 BY REFERENCE INTO THE STATUTE.
24 THIS POLICY IDENTIFIES GENERAL REVIEW
25 CRITERIA AND ESTABLISHES FOUR CRITERIA OR FOUR



1 CATEGORIES THAT JURISDICTIONS MAY FALL INTO AS STAFF
2 COMPLETES THEIR REVIEW. THE FOUR CATEGORIES INCLUDE
3 IMPLEMENTING ALL PROGRAMS AND MEETING DIVERSION
4 REQUIREMENTS; NOT IMPLEMENTING ALL PROGRAMS, BUT STILL
5 MEETING THE DIVERSION REQUIREMENTS; IMPLEMENTING SOME
6 OR ALL PROGRAMS, BUT NOT MEETING THE DIVERSION
7 REQUIREMENTS; AND NOT IMPLEMENTING PROGRAMS AND NOT
8 MEETING DIVERSION REQUIREMENTS.
9 THE STAFF USED THE CIWMP ENFORCEMENT PART
10 2 PROCESS WHEN THEY DID THE ANALYSIS OF THE
11 JURISDICTIONS ACCORDING TO THE BIENNIAL REVIEW PROCESS
12 THAT WAS APPROVED BY THE BOARD THIS PAST OCTOBER,
13 OCTOBER OF 1997. THE BOARD IN THAT POLICY INDICATED
14 THAT WE WERE FIRST TO LOOK AT APPROXIMATELY 375
15 JURISDICTIONS THAT WERE SCHEDULED TO SUBMIT THEIR FIRST
16 ANNUAL REPORTS, COVERING THE PERIOD FROM 1990 TO 1995,
17 IN AUGUST OF 1996. AFTER THOSE ARE COMPLETED, WE WILL
18 BE LOOKING AT ABOUT 100 MORE JURISDICTIONS THAT ARE
19 SCHEDULED OR WERE SCHEDULED TO SUBMIT THEIR FIRST
20 ANNUAL REPORTS, REPORTS THAT COVERED 1990 THROUGH
21 1996. AND THOSE WERE TO BE SUBMITTED IN AUGUST OF
22 1997. AND THEN THE REMAINING JURISDICTIONS.
23 THE BOARD ALSO INDICATED THAT THEY WANTED
24 TO MAKE SURE THAT THEY HAD THE OPTION OF PERFORMING A
25 BIENNIAL REVIEW ON ANY JURISDICTION AS THEY DEEMED FIT



1 ON A CASE-BY-CASE BASIS. THE KINDS OF INFORMATION THAT
2 THE STAFF LOOKED AT IN ORDER TO PERFORM THE REVIEW
3 CONSISTENT WITH THE CIWMP ENFORCEMENT PART 2 POLICY
4 WERE THE SOURCE REDUCTION AND RECYCLING ELEMENTS AND
5 HOUSEHOLD HAZARDOUS WASTE ELEMENTS, AGENDA ITEMS
6 APPROVING THOSE ELEMENTS, ANNUAL REPORTS THAT THE
7 JURISDICTIONS SUBMITTED TO THE BOARD, AND DISPOSAL
8 REPORTING UNDER THE BOARD'S DISPOSAL REPORTING SYSTEM,
9 BOARD APPROVED PETITIONS FOR REDUCTION, BOARD APPROVED
10 REGIONAL AGENCY AGREEMENT AGENDA ITEMS, CORRESPONDENCE
11 BETWEEN THE JURISDICTION AND THE BOARD, STAFF
12 COMMUNICATION RECORDS WITH JURISDICTIONS, ANY OTHER
13 INFORMATION THAT THE JURISDICTION WISHED TO SUBMIT TO
14 US, AND DATA FROM OTHER FEDERAL, STATE, AND LOCAL
15 AGENCIES.

16 I'VE COVERED SOME OF THIS REVIEW CHART IN
17 WHAT I JUST TOLD YOU ABOUT IN TERMS OF THE REVIEW
18 SCHEDULE AND PROCESS, SO WE'LL START. THE NEXT SLIDE
19 IS A LITTLE BIT BIGGER. IT'S THE TOP OF THIS CHART.
20 WE'VE COVERED THE SCHEDULE AND THE PROCESS. ONCE WE GO
21 THROUGH THE INFORMATION, WE COME UP WITH A STAFF
22 RECOMMENDATION, AND THERE ARE TWO MAJOR CATEGORIES.
23 ONE WOULD BE THAT THE IMPLEMENTATION OF DIVERSION
24 PROGRAMS AND THEIR DIVERSION RATES ARE OKAY, OR THERE
25 ARE ISSUES WITH EITHER IMPLEMENTATION OR DIVERSION



1 RATES.
2 IF WE TAKE A LOOK AT THE NEXT SLIDE, THIS
3 COVERS THE GROUP THAT WE HAVE IMPLEMENTATION OF
4 DIVERSION PROGRAMS AND THEIR DIVERSION RATES ARE OKAY.
5 THE BOARD APPROVED IN OCTOBER '97 THAT WE COULD DO A
6 STREAMLINED AGENDA FOR ALL OF THESE USING A COMPUTER
7 GENERATED PRINTOUT OF THEIR DIVERSION RATES AND
8 PROGRAMS THEY'RE IMPLEMENTING IN ORDER TO BE ABLE TO
9 FOCUS ON IDENTIFYING AND ASSISTING JURISDICTIONS THAT
10 HAD ISSUES.
11 IF THE BOARD ACCEPTS STAFF RECOMMENDATION
12 ON THESE ITEMS, THEY WILL GET A NOTIFICATION LETTER,
13 AND THAT WILL BE THE END OF THE BIENNIAL REVIEW PROCESS
14 FOR THESE JURISDICTIONS.
15 IF THE JURISDICTION HAS PROBLEMS WITH
16 EITHER IMPLEMENTING PROGRAMS OR THE DIVERSION RATE, THE
17 BOARD DIRECTED STAFF TO PREPARE AN INDIVIDUAL AGENDA
18 ITEM FOR EACH OF THESE. THERE ARE A NUMBER OF
19 STATUTORY CONSIDERATIONS, SUCH AS GOOD FAITH EFFORTS,
20 WHICH WE WOULD LOOK AT. IF THEY MET THE REQUIREMENTS
21 FOR THE STATUTORY RELIEF, THEY WOULD GET BOARD APPROVAL
22 AND GET A NOTIFICATION LETTER, AND THAT WOULD BE THE
23 END OF THEIR BIENNIAL REVIEW PROCESS.
24 IF THERE WERE A PROBLEM THAT WAS NOT
25 RESOLVED BY STATUTORY RELIEF, THEN PRC SECTION 41825



1 INDICATES THAT THE BOARD NEEDS TO ISSUE A COMPLIANCE
2 ORDER AND SCHEDULE. IF THAT COMPLIANCE SCHEDULE IS NOT
3 MET OR THERE ARE PROBLEMS, THEN STAFF IS DIRECTED TO
4 PREPARE ANOTHER AGENDA ITEM, AND THAT IS THE TIME THAT
5 THE BOARD MAY CONSIDER A FINE.
6 WHAT WE HAVE BEFORE US TODAY ARE 24
7 JURISDICTIONS, ALL OF WHICH FALL - - AND STAFF -- UNDER
8 STAFF'S REVIEW INTO THE CATEGORY OF THEY ARE
9 IMPLEMENTING DIVERSION PROGRAMS AND THEIR DIVERSION
10 RATES ARE FINE. AND THE 24 ARE ON THE SCREEN IN FRONT
11 OF YOU. I GUESS TWO SCREENS. THEY WOULDN'T ALL FIT ON
12 ON ONE.
13 STAFF HAS INFORMATION ON THE TYPES OF
14 PROGRAMS THAT THEY ARE IMPLEMENTING IF YOU WISH TO HEAR
15 THAT. OTHERWISE, WE'LL BE HAPPY TO ANSWER ANY
16 QUESTIONS YOU MAY HAVE.

17 CHAIRMAN PENNINGTON: OKAY. START WITH MR.
18 CHESBRO.

19 BOARD MEMBER CHESBRO: NO QUESTIONS.

20 CHAIRMAN PENNINGTON: MR. FRAZEE. JONES.

21 BOARD MEMBER JONES: MR. CHAIRMAN, JUST COUPLE
22 OF QUESTIONS ON -- I THINK THIS IS FINE. I DON'T HAVE
23 ANY PROBLEM WITH THIS. BUT IF -- DO WE VERIFY THAT, IN
24 FACT, THE PROGRAMS THAT THEY'VE LISTED AND THE
25 DIVERSION THAT -- I KNOW WE HAVE TO RELY ON THEM FOR



1 THE DIVERSION NUMBER, BUT ARE WE VERIFYING THAT THESE
2 PROGRAMS ARE EVEN BEING DONE? HOW'S THE CHECKS AND
3 BALANCES GO AS FAR AS THAT?

4 MS. VAN KEKERIX: WE HAVE SOME VERIFICATION
5 PROCESSES, AND MAYBE PAT SCHIAVO WOULD LIKE TO TELL YOU
6 A LITTLE BIT MORE ABOUT SOME OF THOSE.

7 MR. SCHIAVO: WHAT WE'VE BEEN DOING IS WE HAVE
8 A NUMBER OF DATABASES FROM THE DEPARTMENT OF
9 CONSERVATION DIVISION OF RECYCLING. THAT'S PAT SCHIAVO
10 FROM OFFICE OF LOCAL ASSISTANCE. SORRY. AND WHAT THEY
11 HAVE IS A CERTIFICATION LIST OF CURBSIDE RECYCLING
12 PROGRAMS, INTERMEDIATE PROCESSING FACILITIES, BUY-BACK
13 CENTERS, DROP-OFF FACILITIES. OUR SWIS DATABASE HAS A
14 LISTING OF PERMITTED MRF'S, AS WELL AS COMPOST
15 FACILITIES, SO WE HAVE A NUMBER OF DIFFERENT TYPES OF
16 DIVERSION FACILITY INFORMATION WE CAN COLLECT
17 INFORMATION ON.

18 WHEN YOU GET INTO THE AREA OF SOURCE
19 REDUCTION, IT BECOMES MUCH MORE DIFFICULT. AND AS FAR
20 AS BROCHURES ARE CONCERNED, EDUCATION PROGRAMS, A LOT
21 OF JURISDICTIONS HAVE COME FORWARD AND SUBMITTED
22 BROCHURES TO US, SO WE DO HAVE THOSE IN HAND. AS FAR
23 AS HOW WIDELY THEY'RE DISTRIBUTED, AGAIN, WE HAVE TO
24 TAKE THEIR WORD FOR IT. SO WE DO DO THE CURSORY LOOK
25 TO MAKE SURE THEY HAVE CERTIFIED PROGRAMS. AND MOST



1 EVERY PROGRAM IN THE STATE WOULD BE CERTIFIED BECAUSE
2 THEY GET THE BENEFIT OF THE BEVERAGE CONTAINER DOLLARS.
3 IN ADDITION, STAFF DO MAKE PHONE CALLS
4 FOR CLARIFICATIONS. BECAUSE THIS IS A FIRST GO-AROUND,
5 THERE'S A LOT OF DATA GAPS, ESPECIALLY IN '95 ANNUAL
6 REPORTS, SO STAFF ARE TO CALL AND AT LEAST TRY TO
7 CLARIFY SOME ISSUES REGARDING SOME OF THE PROGRAMS THAT
8 ARE LISTED.

9 BOARD MEMBER JONES: IS THERE A PROCESS IN
10 PLACE? LET'S SAY THAT ABC CITY, I DON'T EVEN WANT TO
11 THINK ABOUT NAMING IT, PUTS PAPERWORK FORWARD THAT SAYS
12 THAT THEY'RE DIVERTING 31 PERCENT OF THE WASTESTREAM,
13 AND EVERYBODY IN THAT JURISDICTION SAYS I DON'T
14 UNDERSTAND HOW THEY ARE DIVERTING 31 PERCENT BECAUSE
15 THEY'VE GOT ONE DROP-OFF CENTER IN THE MIDDLE OF TOWN
16 AND THAT IS THE EXTENT OF THE PROGRAM. WHAT WOULD THE
17 PROCESS BE AS FAR AS WOULD WE INVESTIGATE ON THAT KIND
18 OF A COMPLAINT OR --

19 MR. SCHIAVO: IF IT'S A FORMAL COMPLAINT BY A
20 CONSUMER, WE HAD A COUPLE OF THOSE ALREADY EARLIER THIS
21 YEAR, AND WE FOLLOWED UP BY TALKING WITH THE
22 JURISDICTION. ONE OF THOSE WAS IN SOUTHERN CALIFORNIA,
23 YOU MAY RECALL. SO IN THAT CASE WE'D FOLLOW UP.

24 BOARD MEMBER JONES: DO WE GO TO THE -- DO WE
25 GO CHECK THE JURISDICTION TO SEE JUST WHAT THEY ARE



1 DOING?

2 MR. SCHIAVO: AT THIS POINT IN TIME, IT'S A
3 REAL RESOURCE CONSTRAINT. WE HAVE TO MAKE A CALL
4 VERSUS -- YOU KNOW, IT TAKES A LONG TIME TO REVIEW
5 THESE REPORTS AND THEN TO GO OUT IS ANOTHER DAY OR TWO
6 OF STAFF TIME, SO WE HAVEN'T BEEN GOING OUT.

7 BOARD MEMBER JONES: BECAUSE I THINK THAT, YOU
8 KNOW, WHEN A JURISDICTION HAS 20 GARBAGE TRUCKS AND
9 THEY HAVE FOUR CURBSIDE RECYCLING TRUCKS, AND THEY SAY
10 AT THE END OF THE YEAR THAT THEY'VE DIVERTED 40 PERCENT
11 OF THEIR WASTESTREAM BECAUSE OF THAT ONE PROGRAM, WE
12 NEED, YOU KNOW, JUST BY THE NUMBERS DON'T WORK. I MEAN
13 YOU BRING IN AT THE BEST TWO AND A HALF TONS VERSUS TEN
14 TONS. WE NEED TO HAVE A MECHANISM -- I THINK WE NEED
15 TO HAVE A MECHANISM WHERE WE VERIFY THAT BECAUSE THE
16 NUMBERS GAME, IT'S A NUMBERS GAME NOW.
17 IF IT'S NOT -- IF IT'S NOT -- YOU KNOW,
18 IF WE ARE NOT VERIFYING, THEN I THINK THAT THOSE
19 JURISDICTIONS THAT HAVE DONE PROGRAMS ARE BEING -- YOU
20 KNOW, IT'S NOT FAIR TO THEM.

21 MR. SCHIAVO: WHAT WE'RE PLANNING ON DOING
22 WITH THE NUMBERS -- RIGHT NOW WE'RE TAKING FORWARD THE
23 ONES THAT SEEM OBVIOUS THAT THEY'RE IMPLEMENTING
24 PROGRAMS AND THE NUMBER'S OKAY. IN THE COMING MONTHS,
25 WE'RE GOING TO HAVE THE ONES WHERE THE NUMBERS DON'T



1 SEEM TO MAKE SENSE AND THEY'RE NOT IMPLEMENTING THE
2 PROGRAMS TO MATCH THE NUMBER. AND THAT'S A WHOLE
3 DIFFERENT PROCESS. AND MAYBE WE'RE GOING TO HAVE TO
4 SUBMIT A LETTER TO THE JURISDICTION SAYING THAT, YOU
5 KNOW, YOU NEED TO FIX THE NUMBERS BY THE NEXT ANNUAL
6 REPORT SUBMITTAL, WORK WITH OUR STAFF. SO WE ARE
7 TALKING IN THOSE TERMS.

8 BOARD MEMBER JONES: OKAY. THANK YOU, MR.
9 CHAIRMAN.

10 CHAIRMAN PENNINGTON: MR. EATON.

11 BOARD MEMBER EATON: NO.

12 CHAIRMAN PENNINGTON: MR. EVAN EDGAR.

13 MR. EDGAR: GOOD AFTERNOON, CHAIRMAN AND BOARD
14 MEMBERS. MY NAME IS EVAN EDGAR OF EDGAR ASSOCIATES
15 REPRESENTING THE CALIFORNIA REFUSE REMOVAL COUNCIL.
16 TODAY'S A GREAT DAY FOR THE WASTE BOARD STAFF, FOR THE
17 WASTE BOARD. THE JURISDICTIONS THAT HAVE MADE THE
18 25-PERCENT MANDATE FOR AB 939 AND FOR CALIFORNIA, I
19 THINK IT'S A LANDMARK DAY THAT 25-PERCENT MANDATE CAN
20 BE ACHIEVED.

21 IN FACT, EVEN 50 PERCENT HAS BEEN MADE.

22 IF YOU LOOK DOWN THE LIST ON THE 50-PERCENT MANDATE
23 ACHIEVEMENT, WE HAVE 60 PERCENT FOR SHASTA COUNTY, 64
24 PERCENT FOR DEL NORTE COUNTY, 66 PERCENT IN HUMBOLDT
25 COUNTY, 62 PERCENT DIVERSION IN TRINIDAD, 51 PERCENT



1 DIVERSION IN FOUNTAIN VALLEY, 52 PERCENT DIVERSION IN
2 LA PALMA, 55 PERCENT DIVERSION IN LAGUNA HILLS, AND 51
3 PERCENT DIVERSION IN NEWPORT BEACH. SO IT'S ECOTOPIA
4 DOWN IN ORANGE COUNTY. AB 939 HAS BEEN MADE FROM THE
5 FAR LEFT TO THE FAR RIGHT, ESPECIALLY SINCE RECYCLING
6 IS APOLITICAL, BUT IT'S ACHIEVABLE. AND I THINK THAT
7 WE NEED TO DO MORE NOW TO RECOGNIZE THAT.
8 WAITING FOR THE YEAR 2000 AND 50 PERCENT
9 MAY BE TOO LATE. I THINK TODAY AT 25 PERCENT WE NEED
10 TO VALIDATE THAT. MORE THAN JUST A MERE NOTIFICATION
11 OF THE BIENNIAL REPORT HAS BEEN DONE, BUT ACTUALLY SOME
12 RECOGNITION AND VALIDATION.
13 THE INDUSTRY I REPRESENT, VERY PROUD
14 INDUSTRY, PUT A LOT OF MONEY INTO THIS. I THINK THE
15 INVESTMENT THAT WE MADE INTO THAT COMMUNITY, WE NEED TO
16 HAVE IT VALIDATED OTHER THAN BY OURSELVES WITH OUR
17 HANDOUTS AND OUR PROMOTIONAL CAMPAIGNS THAT WE DO
18 EVERY DAY WITHIN OUR COMMUNITIES BY HAVING THE WASTE
19 BOARD, WHOSE AUTHORITY IT IS TO ENFORCE AB 939, SOME
20 TYPE OF CAMPAIGN IN THE COMMUNITY ABOUT THIS VERY
21 ISSUE, THE 25-PERCENT MANDATE, AND A DOUBLE PROMOTION
22 FOR THE 50-PERCENT JURISDICTION WOULD BE GREAT.
23 THIS WASTE BOARD HAS A GREAT MODEL
24 PROGRAM FOR WRAP. THE WRAP PROGRAM, YOU GUYS SPENT A
25 LOT OF TIME AND MONEY ON THE WRAP PROGRAM THAT TARGETS



1 BUSINESSES THAT COMPLY, THAT PROMOTE AB 939 PROGRAMS.
2 AS YOU KNOW, THE BURDEN IS ON THE JURISDICTION. I
3 BELIEVE THAT THE SAME TYPE OF EFFORT THAT THE WRAP
4 PROGRAM HAS, MAYBE THERE SHOULD BE A NEW PROGRAM THAT
5 IS RECOGNIZING THE ACHIEVEMENT OF DIVERSION. I CALL IT
6 THE RAD PROGRAM. SO BY RECOGNIZING ACHIEVEMENT OF
7 DIVERSION, YOU CAN DO ONE MORE THAN WRAP AND REALLY
8 TAKE THIS TO THE STREETS AND HAVE SOME WASTE BOARD
9 MEMBERS GO OUT TO THESE COMMUNITIES FROM ORANGE COUNTY
10 TO HUMBOLDT IN ORDER TO RECOGNIZE INVESTMENT, RECOGNIZE
11 ACHIEVEMENT, AND RECOGNIZE THE DIVERSION THAT THIS
12 BOARD HAS FACILITATED.
13 50 IT'S A LANDMARK DAY FOR THE WASTE
14 BOARD. I LOOK FORWARD TO THE PRESS RELEASES THAT MR.
15 FRITH IS WORKING ON RIGHT NOW AND CONGRATULATE YOU ON A
16 GOOD JOB WELL DONE.

17 (APPLAUSE.)

18 BOARD MEMBER CHESBRO: MR. CHAIRMAN.

19 CHAIRMAN PENNINGTON: MR. CHESBRO.

20 BOARD MEMBER CHESBRO: JUST TO REASSURE EVAN,
21 WE HAVE, IN FACT, BEEN DISCUSSING HOW WE'RE GOING TO DO
22 THAT KIND OF RECOGNITION. THE ONLY DOWNSIDE OF IT IS
23 IS THIS QUESTION OF HOW LONG IT'S BEEN, YOU KNOW, AND
24 WHETHER OR NOT IT HAS QUITE THE IMPACT IT COULD HAVE
25 HAD IF WE HAD SAID ON JANUARY 1, 1995, LIKE PEOPLE



1 THOUGHT THE MEASURING WAS, WHICH, OF COURSE, IT WASN'T.
2 BUT WE HAVE BEEN TALKING TO STAFF, AND THE COMMITTEE
3 GAVE DIRECTION TO LOCAL ASSISTANCE STAFF TO WORK WITH
4 OUR PUBLIC AFFAIRS STAFF TO TRY TO DEVELOP FOR THE
5 BOARD AN APPROPRIATE MECHANISM FOR RECOGNIZING THE
6 JURISDICTIONS' ACHIEVEMENTS.

7 MS. FRIEDMAN: YES, WE ARE WORKING ON THAT
8 EVEN AS WE SPEAK. AS A MATTER OF FACT, WE WERE ALSO
9 WORKING WITH OUR PARTNERS IN THE LOCAL GOVERNMENT
10 TECHNICAL ADVISORY COMMITTEE TO WORK WITH US TO DEVELOP
11 THAT PROGRAM AS WELL. HOPEFULLY, IN THE NEXT MONTH
12 WE'LL BE ABLE TO BRING TO YOU MORE DETAILS ON THIS
13 RECOGNITION PROGRAM. AND IT IS PART OF OUR STRATEGIC
14 PLAN PRIORITY AREA IMPLEMENTATION PLAN.

15 CHAIRMAN PENNINGTON: GOOD. ACCORDING TO
16 EVAN, WE COULD BE A BUNCH OF RAD GUYS AND GET DOWN
17 THERE AND WRAP.

18 BOARD MEMBER CHESBRO: ONE OTHER AREA. DO YOU
19 HAVE ANOTHER SPEAKER? I WAS GOING TO MAKE ANOTHER
20 COMMENT.

21 CHAIRMAN PENNINGTON: DID YOU WANT TO SPEAK ON
22 THIS, DAVE? DAVE AULT.

23 MR. AULT: THANK YOU. DAVE AULT, TAROMINA
24 INDUSTRIES. I WOULD LIKE TO THANK SOMEONE ELSE THAT
25 MAYBE OVERLOOKS ON THIS ISSUE, AND THAT IS REPRESENTING



1 FOUR OF THE CITIES THAT YOU'RE TALKING ABOUT TODAY, IS
2 WE'VE BEEN IN COMMUNICATION WITH STAFF FOR THE LAST TWO
3 OR THREE YEARS. AND I WANT TO PARTICULARLY EXPRESS OUR
4 APPRECIATION FOR THEIR HELP, NOT ONLY ON THE CITIES
5 WHICH ARE GETTING RECOGNIZED FOR ACHIEVING THESE
6 LEVELS, BUT ALSO FOR THEIR HELP IN WORKING WITH CITIES
7 THAT AREN'T ACHIEVING THESE LEVELS AND HELPING US WITH
8 INPUT AS MANY COMPANIES ARE MERGING, GROWING, GETTING
9 INTO AREAS WE HAVEN'T BEEN BEFORE.
10 WE'RE LEAVING THE CONFINES OF THE ORANGE
11 CURTAIN AND GETTING INTO LOS ANGELES AND AREAS SUCH AS
12 THAT, AND WE REALLY APPRECIATE THE HELP WE GET FROM
13 YOUR STAFF.
14 AND I THINK THAT'S ONE OF THE CRITICAL
15 THINGS IN MAKING THIS WHOLE PROGRAM WORK. AGAIN, MAYBE
16 IT'S NOT SAID ENOUGH, BUT WE DO APPRECIATE IT. AND
17 BOARD MEMBER JONES, YOUR COMMENTS ARE VERY WELL TAKEN
18 TOO BECAUSE BEFORE WE GIVE TOO MUCH ACCOLADES TO ANYONE
19 OR ANY ONE PROGRAM, WE WANT TO MAKE SURE THAT THOSE
20 PROGRAMS ARE INDEED IN PLACE AND FUNCTIONING PROPERLY.
21 AND THAT'S A VERY GOOD POINT ALSO. THANK YOU VERY
22 MUCH.

23 BOARD MEMBER CHESBRO: WELL, MR. CHAIRMAN, I'D
24 LIKE TO EXPRESS MY APPRECIATION FOR THE RECOGNITION OF
25 STAFF AND ALL THE WORK THEY'VE DONE. I THINK IT'S WELL



1 DESERVED.

2 I ALSO WANT TO SAY, EVAN, YOU JUST GAVE A

3 PIECE OF IT, BUT YOU GOT A NEW LINE, FROM THE ORANGE

4 CURTAIN TO THE REDWOOD CURTAIN.

5 THE OTHER COMMENT I WANT TO MAKE, AND

6 THIS WAS NOT CRITICISM OF THE CURRENT PROCESS BECAUSE

7 THERE'S A LOT OF GOOD REASONS WHY IT'S TAKEN US THIS

8 LONG TO BE AT THIS POINT, AND NOT THE LEAST OF WHICH IS

9 THE FACT THAT IT'S A YEAR'S MEASUREMENT WHICH IS

10 INVOLVED WHICH IS NOT WIDELY RECOGNIZED BY THE PUBLIC

11 OR THE NEWS MEDIA. BUT ONE OF THE OTHER THINGS WE

12 DISCUSSED AT COMMITTEE WAS ASKING STAFF TO LOOK AT THE

13 QUESTION OF HOW WE CAN DO IT A LITTLE BIT SOONER AFTER

14 THE YEAR 2000 IF AT ALL' POSSIBLE, HOW WE CAN LEARN FROM

15 THE EXPERIENCE WE'VE HAD WITH TRYING TO GET TO THIS

16 POINT OF DETERMINING ACHIEVEMENT OF THE 25 PERCENT FOR

17 1995. HOPEFULLY WE WON'T BE IN 199- - - I MEAN 2003 OR

18 2004 BEFORE WE ARE SAYING, OKAY, HERE WAS THE

19 ACHIEVEMENT ON THE 50-PERCENT GOAL.

20 SO, AGAIN, IT WAS NOT A CRITICAL

21 DIRECTION OR COMMENT. IT WAS JUST ONE THAT WE THOUGHT

22 OUGHT TO BE EXAMINED, AND WE OUGHT TO TRY TO LEARN FROM

23 THE EXPERIENCE ON THE 25-PERCENT MEASUREMENT.

24 CHAIRMAN PENNINGTON: VERY GOOD. ANY OTHER

25 COMMENTS? IF NOT, I'LL ENTERTAIN A MOTION.



1 BOARD MEMBER CHESBRO: I'LL MOVE THAT WE
2 APPROVE THE COMMITTEE AND STAFF RECOMMENDATION,
3 APPROVING THE BIENNIAL REVIEW FINDINGS FOR THE
4 JURISDICTIONS THAT ARE BEFORE US TODAY.

5 BOARD MEMBER JONES: I'LL SECOND.

6 CHAIRMAN PENNINGTON: OKAY. IT'S BEEN MOVED
7 AND SECONDED THAT WE ADOPTION RESOLUTION 98-148.
8 HEARING NO FURTHER DISCUSSION, WILL THE SECRETARY CALL
9 THE ROLL.

10 THE SECRETARY: BOARD MEMBER AMODIO. ABSENT.

11 BOARD MEMBER CHESBRO.

12 BOARD MEMBER CHESBRO: AYE.

13 THE SECRETARY: EATON.

14 BOARD MEMBER EATON: AYE.

15 THE SECRETARY: FRAZEE.

16 BOARD MEMBER FRAZEE: AYE.

17 THE SECRETARY: JONES.

18 BOARD MEMBER JONES: AYE.

19 THE SECRETARY: CHAIRMAN PENNINGTON.

20 CHAIRMAN PENNINGTON: AYE.

21 OKAY. LET'S SEE. WE'LL MOVE TO ITEM 26.

22 MS. FRIEDMAN: MR. CHAIRMAN, THE PRESENTATION
23 THAT WE MADE WAS -- COVERED BOTH ITEMS 25 AND 26, SO --

24 CHAIRMAN PENNINGTON: THAT RESOLUTION DOES
25 TOO?



1 MS. FRIEDMAN: NO. THERE ARE TWO SEPARATE
2 RESOLUTIONS, SO WE NEED ANOTHER MOTION.
3 CHAIRMAN PENNINGTON: I GAVE THE NUMBER OF THE
4 WRONG RESOLUTION.
5 BOARD MEMBER CHESBRO: I'LL MOVE THIS ITEM,
6 WHICH IS A DIFFERENT RESOLUTION.
7 CHAIRMAN PENNINGTON: THIS IS 98-149.
8 BOARD MEMBER CHESBRO: SO MOVED.
9 BOARD MEMBER JONES: I'LL SECOND.
10 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND
11 SECONDED. IF THERE'S NO FURTHER DISCUSSION, WILL THE
12 SECRETARY CALL THE ROLL.
13 THE SECRETARY: BOARD MEMBER AMODIO. ABSENT.
14 BOARD MEMBER CHESBRO.
15 BOARD MEMBER CHESBRO: AYE.
16 THE SECRETARY: EATON.
17 BOARD MEMBER EATON: AYE.
18 THE SECRETARY: FRAZEE.
19 BOARD MEMBER FRAZEE: AYE.
20 THE SECRETARY: JONES.
21 BOARD MEMBER JONES: AYE.
22 THE SECRETARY: CHAIRMAN PENNINGTON.
23 CHAIRMAN PENNINGTON: AYE. MOTION CARRIES.
24 MS. FRIEDMAN: JUST WANT TO SAY ONE THING
25 BEFORE YOU CLOSE, WHICH IS FOR THIS ITEM, WE BROUGHT



1 THIS BEFORE THE BOARD FOR PRESENTATION; BUT IN THE
2 FUTURE, AS APPROVED BY THE BOARD'S PROCESS, ANY
3 RECOMMENDATIONS OF APPROVAL WOULD BE PLACED ON THE
4 COMMITTEE'S CONSENT, IF WE HAVE COMMITTEES, OR THE
5 BOARD'S CONSENT AND WOULD NOT BE HEARD. IT WOULD ONLY
6 BE THOSE ITEMS THAT HAD, YOU KNOW, ISSUES WITH THEM
7 THAT WE WOULD ACTUALLY BE MAKING PRESENTATIONS ON. I
8 JUST WANTED TO REMIND THE BOARD OF THAT FACT.

9 CHAIRMAN PENNINGTON: OKAY.

10 BOARD MEMBER JONES: BEFORE YOU GO TO THE NEXT
11 ITEM, I'D LIKE TO SAY I THINK THIS WHOLE WASTE BOARD,
12 ALL THE BOARD MEMBERS NEED TO BE CONGRATULATED FOR WHAT
13 WE'RE DOING HERE UNDER AB 939. I SPENT A WEEK IN D.C.
14 AT THE INVITATION OF THE WHITE HOUSE ON RECYCLING GOING
15 INTO THE FUTURE. THEY'RE STILL TALKING ABOUT FIGURING
16 OUT HOW TO PUT OUT COLLECTION SITES. IT WAS VERY
17 FRUSTRATING FOR ME TO TRY TO PROMOTE MARKETS AND THE
18 FACT THAT WE NEED MARKETS BECAUSE OF ALL THE MATERIALS
19 THAT WE SO EFFECTIVELY COLLECTED, THAT THEY DON'T --
20 MARKETS AREN'T AN ISSUE TO THEM. PUTTING OUT
21 COLLECTION SYSTEMS ARE, BUT I THINK --
22 I DIDN'T HAVE A CHANCE TO SAY IT EARLIER
23 TODAY, BUT I WANTED TO GET IT ON THE RECORD THAT I KNOW
24 THE BOARD MEMBERS, BUT ALL OF US APPRECIATE THE EFFORT
25 THAT THE EMPLOYEES OF THIS BOARD DO. IT IS A GOOD,



1 VALIANT EFFORT, AND YOU LEAD THE NATION, AND YOU SHOULD
2 TAKE A LOT OF PRIDE IN THAT. SO THANK YOU, MR.
3 CHAIRMAN.

4 CHAIRMAN PENNINGTON: OKAY. THANK YOU, MR.
5 JONES. OKAY.

6 ITEM 37, CONSIDERATION OF CLARIFICATION

7 OF THE APPLICABILITY OF THE LOAN FEE REDUCTION TO
8 PENDING RECYCLED MARKET DEVELOPMENT ZONE LOANS.

9 MS. TRGOVCICH: GOOD AFTERNOON, CHAIRMAN
10 PENNINGTON AND MEMBERS. I HOPE THIS WILL BE A BRIEF
11 ITEM. THIS ITEM SEEKS TO CLARIFY AN ITEM THAT YOU
12 APPROVED AT LAST MONTH'S MEETING.

13 THE ITEM BEFORE YOU SEEKS A SLIGHT
14 MODIFICATION TO THE RESOLUTION ADOPTED LAST MONTH. THE
15 RESOLUTION THAT WAS ADOPTED WAS 98-105. THAT
16 RESOLUTION REDUCED THE LOAN ORIGINATION FEE FROM 3
17 PERCENT DOWN TO ONE AND A HALF PERCENT FOR RMDZ LOANS.
18 I FAILED TO SEEK A CLARIFICATION AT LAST MONTH'S
19 MEETING, AND THAT'S THE PURPOSE OF THE ITEM TODAY.

20 WE HAD ONE LOAN IN HOUSE AT THE TIME THAT
21 HAD NOT YET CLOSED, AND THAT WAS THE LOAN TO KROEKER,
22 INC. FOR \$1 MILLION. BECAUSE OF THE WAY THE RESOLUTION
23 98-105 WAS WORDED, IT WOULD PRECLUDE KROEKER, INC. OF
24 TAKING ADVANTAGE OF THE REDUCED LOAN FEE.
25 IF YOU WILL LOOK ON PAGE 37-2 OF YOUR



1 AGENDA ITEM, YOU WILL SEE A VERY BRIEF FISCAL
2 BREAKDOWN. WHAT IT SHOWS IS THAT THE REDUCTION IN THE
3 LOAN FEE WOULD RESULT IN A SAVINGS TO KROEKER OF
4 \$15,000. THEY'VE CERTAINLY -- IT WOULD CERTAINLY BE IN
5 THEIR INTEREST IF WE WERE NOT TO PROVIDE THEM WITH THAT
6 SAME REDUCED FEE TO WITHDRAW THEIR APPLICATION, REFILE
7 AT THE \$300 FILING FEE, AND MOVE THE APPLICATION
8 THROUGH THE CYCLE ONCE MORE TO OBTAIN THAT \$14,700
9 DIFFERENCE THAT THEY WOULD THEN ACHIEVE AT THAT POINT.
10 SO WHAT WE ARE SEEKING HERE TODAY IS YOUR
11 CONSIDERATION OF APPROVAL OF RESOLUTION 98-189. THIS
12 IS A SLIGHT MODIFICATION TO THE OPTION FOR THE BOARD
13 LISTED ON 37-1. WE SHOULD HAVE INDICATED THAT THE
14 OPTION IS APPROVE RESOLUTION 98-189, WHICH MAKES THE
15 CHANGE TO THE EFFECTIVE DATE, WHICH WOULD ALLOW KROEKER
16 TO TAKE ADVANTAGE OF THE REDUCED FEE. AND THAT
17 CONCLUDES STAFF PRESENTATION.

18 CHAIRMAN PENNINGTON: IF THERE ARE NO
19 QUESTIONS OF STAFF, I'LL MOVE --

20 BOARD MEMBER EATON: I HAVE ONE QUESTION OF
21 LEGAL COUNSEL. I'D LIKE TO GET SOME CLARIFICATION WITH
22 REGARD TO THE RESOLUTION WHERE IT SAYS WE OMITTED -- I
23 DON'T HAVE A PROBLEM IN HELPING PEOPLE WITH THEIR
24 LOANS. I'M MORE CONCERNED ABOUT A MACY'S-TYPE POLICY
25 BY WHICH WE APPROVE SOMETHING. AND THEN IF WE FIND A



1 BETTER PRICE WITHIN 30 DAYS, WE'LL MATCH IT AND COME
2 BACK IN AND GET IT. I'M CONCERNED ABOUT A GIFT OF
3 PUBLIC FUNDS AND ONLY FROM A PROCEDURAL STANDPOINT
4 HERE.

5 WE HAVE A 60-DAY GAP THAT SAYS THE BOARD
6 OMITTED IT AND NOW THAT THERE IS NO -- UNDER OUR
7 RESOLUTION THERE IS NO MONETARY GAIN TO BE REALIZED
8 FROM WITHHOLDING THIS FEE REDUCTION. WHO DOES THE
9 \$15,000 GO BACK TO? DOES IT GO BACK TO US WHEN THEY
10 REPAY THE LOAN?

11 MS. TRGOVCICH: NO. IT WOULDN'T COME TO US AT
12 ALL. IT'S EITHER PAID AT THE TIME OR IT'S FINANCED AS
13 A PART OF THE TOTAL PACKAGE. THIS WAS -- AND I'LL JUST
14 RESTATE IT AGAIN TO HUMILIATE MYSELF HERE. THIS WAS MY
15 ERROR IN FAILING TO SEEK CLARIFICATION AT LAST MONTH'S
16 MEETING. WE FULLY INTENDED TO INCLUDE THAT LOAN IN THE
17 FEE REDUCTION, BUT THE MONEY WOULD NOT BE REBATED TO
18 THEM. IT WOULD SIMPLY - - IT WOULD HAVE SIMPLY BEEN
19 INCLUDED IN THE OVERALL FINANCE PACKAGE THAT WOULD HAVE
20 BEEN MOVED FORWARD.

21 BOARD MEMBER EATON: SO WOULD THE BOARD GET - -
22 WHEN THE LOAN WAS PAID OFF, WOULD WE GET \$15,000 LESS
23 OR - -

24 MS. TRGOVCICH: YOU WILL BE RECEIVING 15,000
25 LESS.



1 BOARD MEMBER EATON: SO THERE IS A MONETARY
2 LOSS UNLIKE WHAT THE RESOLUTION SAYS HERE.

3 MS. TRGOVCICH: THERE'S A MONETARY LOSS, YES,
4 TO THE BOARD; BUT WE WERE LOOKING AT IT FROM A
5 DIFFERENT ANGLE. AND THAT IS, IT WOULD BE IN KROEKER'S
6 INTEREST TO AVOID PAYING TO US THE ADDITIONAL \$15,000
7 BY WITHDRAWING THEIR APPLICATION, FILING A NEW ONE, AND
8 PAYING THE \$300 ONLY FILING FEE.

9 BOARD MEMBER EATON: MY CONCERN IS NOT THE
10 RESULT THAT WE'RE TRYING TO OBTAIN, BUT THE PROCEDURE
11 BY WHICH WE'RE GOING THROUGH. IS IT EASIER TO WAIVE
12 THE FEE FOR REAPPLICATION? WE'RE IN THE MIDDLE OF AN
13 ESCROW, I ASSUME, CORRECT? WE'RE 60 DAYS PAST THAT
14 FROM THE TIME THAT THE BOARD APPROVED THE KROEKER.

15 MS. TRGOVCICH: WE'RE IN THE PROCESS OF
16 CLOSING, CORRECT.

17 BOARD MEMBER EATON: RIGHT. SO I'M JUST
18 TRYING TO FIND OUT FROM A LEGAL STANDPOINT IS THIS THE
19 BEST WAY TO GO BACK AND CORRECT -- I MEAN WHICH IS AN
20 OBVIOUS GOOD THING TO DO. I'M NOT SAYING, BUT I JUST
21 THINK WE RUN INTO A GIFT OF PUBLIC FUNDS ISSUE HERE.

22 MS. TOBIAS: IF I UNDERSTAND WHAT YOU ARE
23 SAYING, MR. EATON, I WONDER IF I COULD SUGGEST THAT
24 YOUR QUESTION COULD ALSO BE SAID ARE WE -- DOES IT MAKE
25 A DIFFERENCE WHERE YOU DRAW THIS LINE, AND SHOULD THE



1 LANGUAGE AT THE TIME HAVE JUST SAID ANYTHING IN-HOUSE.
2 I DON'T REMEMBER HOW EXACTLY HOW THIS IS PHRASED,
3 CAREN.

4 BOARD MEMBER EATON: THIS DATE FORWARD.

5 MS. TOBIAS: FROM THIS DATE FORWARD. SO I
6 GUESS I SEE THIS MORE AS A CLARIFICATION OF AT WHAT
7 POINT THIS POLICY WAS EFFECTIVE OR THE AMOUNT WAS
8 EFFECTIVE, HOWEVER YOU WANT TO SAY IT, AND NOT SO MUCH
9 A QUESTION OF GAIN OR LOSS. I THINK THERE'S BOTH THE
10 ISSUE THAT MS. TRGOVCICH HAS SAID, THAT, YOU KNOW, IT'S
11 ALMOST KIND -- TO CONTINUE THE MACY'S ANALOGY, YOU CAN
12 ALWAYS GO BACK AND SAY, WELL, IF YOU WON'T LET ME HAVE
13 THE MARKDOWN, I'M GOING TO RETURN IT AND THEN YOU'RE
14 GOING TO HAVE TO SELL IT TO ME AT THE MARKDOWN PRICE.
15 I THINK THAT ANALOGY WORKS.

16 I ALSO AM A LITTLE BIT CONCERNED THAT
17 PERHAPS THE APPLICANT MIGHT FEEL SOMEHOW UNFAIRLY DEALT
18 WITH, THAT THEY WERE IN THE PROCESS AS WELL AND SHOULD
19 HAVE BEEN INCLUDED, AND THAT THIS REALLY WAS JUST AN
20 ISSUE OF NOT CORRECTLY STATING AT THE TIME, AS MS.
21 TRGOVCICH HAS SAID.

22 BOARD MEMBER EATON: DID THEY RAISE THE ISSUE?

23 MS. TRGOVCICH: YES, THEY RAISED THE ISSUE.
24 THEY WERE CERTAINLY AWARE OF WHAT WAS MOVING FORWARD
25 THROUGH COMMITTEE AND BOARD AT THE TIME.



1 CHAIRMAN PENNINGTON: ISN'T IT A MATTER OF
2 INTENT? DIDN'T WE INTEND FOR THEM TO --

3 MS. TRGOVCICH: THE INTENT WAS FOR THEM TO
4 TAKE ADVANTAGE OF IT, AND WE USED THE EFFECTIVE DATE
5 BEING THE DATE OF THE BOARD ACTION, AND THE LANGUAGE
6 THAT WE USED IN THE RESOLUTION WAS APPLICATIONS
7 APPROVED BY THE BOARD AFTER THE EFFECTIVE DATE. AND
8 WHAT WE INTENDED WAS FOR THEM TO BE INCLUDED; BUT
9 BECAUSE OF THAT LANGUAGE, SINCE THEY WERE APPROVED
10 PRIOR TO THE DATE OF THIS ACTION, THEY WERE
11 AUTOMATICALLY PRECLUDED FROM TAKING ADVANTAGE OF THE
12 FEE REDUCTION.

13 OUR MAIN CONCERN IS STAFF WITH ALL THE
14 ADDITIONAL WORK ON BEHALF OF BOTH OF THE STAFF AS WELL
15 AS THE LOAN COMMITTEE TO MOVE THIS LOAN BACK THROUGH
16 THE PROCESS.

17 BOARD MEMBER EATON: MY CONCERN IS THE PUBLIC
18 PERCEPTION PROBLEM OF THIS BOARD IN A GIFT OF PUBLIC
19 FUNDS AND NOT FOLLOWING A PROPER PROCEDURE. ALL I'M
20 TRYING TO FIND OUT IS WHAT SHOULD BE THE PROPER
21 PROCEDURE. IF YOU'RE SAYING WE CAN GO BACK AND CORRECT
22 A RESOLUTION FROM PRIOR IN TIME TO THE LOSS OF A BOARD
23 OF CERTAIN DOLLARS AND CENTS, YOU KNOW, THEN THAT'S THE
24 COUNSEL YOU'RE GIVING US. I JUST WANT CLARIFICATION.
25 IS THAT WHAT YOU ARE SAYING IS THAT WE WERE PROTECTED



1 AS A BOARD?

2 MS. TOBIAS: YES.

3 CHAIRMAN PENNINGTON: OKAY. I WILL MOVE

4 ADOPTION OF RESOLUTION 98-189.

5 BOARD MEMBER FRAZEE: SECOND.

6 CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND

7 SECONDED. IF THERE'S NO FURTHER DISCUSSION, WILL THE

8 SECRETARY CALL THE ROLL.

9 THE SECRETARY: BOARD MEMBER AMODIO. ABSENT.

10 BOARD MEMBER CHESBRO.

11 BOARD MEMBER CHESBRO: AYE.

12 THE SECRETARY: EATON.

13 BOARD MEMBER EATON: AYE.

14 THE SECRETARY: FRAZEE.

15 BOARD MEMBER FRAZEE: AYE.

16 THE SECRETARY: JONES.

17 BOARD MEMBER JONES: AYE.

18 THE SECRETARY: CHAIRMAN PENNINGTON.

19 CHAIRMAN PENNINGTON: AYE. MOTION CARRIES.

20 BEFORE WE ADJOURN INTO A CLOSED SESSION,

21 IS THERE ANY OPEN DISCUSSION THAT NEEDS TO TAKE PLACE?

22 THERE NOT BEING ANY, WE WILL RECESS INTO A CLOSED

23 SESSION AND DISCUSS SOME LITIGATION AND RECESS TILL

24 TOMORROW MORNING AT 9:30 A.M.

25



1 (THE MEETING WAS THEN RECESSED AT 4:20
2 P.M. TO BE RECONVENED AT 9:30 A.M. ON MAY 28, 1998.)

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Reporter's Certificate

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I, Beth C. Drain hereby certify:

that on the 27th day of
May, 1998, I did report in
shorthand the testimony of the foregoing
proceedings;

that on the conclusion of the above entitled
matter, I did transcribe my shorthand notes into
typewriting;

that the foregoing transcript is a true and correct
record of my shorthand notes thereof.

Beth C. Drain

Certified Shorthand Reporter
Certificate No. 7152

